

the "Gerald R. Ford Federal Office Building"; to the Committee on Public Works.

By Mrs. HOLT:

H.R. 11899. A bill to provide retirement annuities for certain widows of members of the uniformed services who died before the effective date of the Survivor Benefit Plan; to the Committee on Armed Services.

H.R. 11900. A bill to require that a percentage of U.S. oil imports be carried on U.S.-flag vessels; to the Committee on Merchant Marine and Fisheries.

By Mrs. HOLT (for herself and Mr. HOGAN):

H.R. 11901. A bill to authorize the Secretary of the Interior to acquire certain property in the State of Maryland for an international center park, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PRICE of Texas:

H.R. 11902. A bill to amend the Internal Revenue Code of 1954 to provide tax relief for homeowners; to the Committee on Ways and Means.

By Mr. ROE:

H.R. 11903. A bill to establish a National Energy Information System, to authorize the Department of the Interior to undertake an inventory of U.S. energy resources on public lands and elsewhere, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHERLE (for himself, Mr. MORGAN, Mr. ABDNOR, Mr. HUBER, Mr. BERGLAND, Mr. BOWEN, Mr. MAZZOLI, Mr. HOGAN, Mr. HUNGATE, Mr. RANDALL, Mr. EDWARDS of Alabama, Mr. GUNTER, Mr. SMITH of Iowa, Mr. FREY, Mr. RIEGLE, and Mr. LITTON):

H.R. 11904. A bill to amend the Internal Revenue Code of 1954 to provide that the tax on the amounts paid for communication services shall not apply to the amount of the State and local taxes paid for such services; to the Committee on Ways and Means.

By Mr. SCHERLE (for himself, Mr. ICHORD, Mr. YOUNG of Florida, Mr. CULVER, Mr. DICKINSON, Mr. MAYNE, Mr. BEVILL, Mr. FUQUA, Mr. HORTON, Mr. THONE, Mr. WINN, Mr. KEMP, Mr.

TAYLOR of North Carolina, Mr. KETCHUM, Mr. DERWINSKI, Mr. MANN, Mr. DAVIS of Georgia, Mr. YATRON, Mr. NICHOLS, Mr. ANDREWS of North Dakota, Mr. MONTGOMERY, Mr. LOTT, Mr. MCCOLLISTER, Mr. JOHNSON of Pennsylvania, Mr. BENNETT, and Mr. MORGAN):

H.R. 11905. A bill to amend the Internal Revenue Code of 1954 to provide that the tax on the amounts paid for communication services shall not apply to the amount of the State and local taxes paid for such services; to the Committee on Ways and Means.

By Mr. SNYDER (for himself, Mr. HOWARD, Mr. BLATNIK, Mr. CLEVELAND, and Mr. TAYLOR of Missouri):

H.R. 11906. A bill to amend the Appalachian Regional Development Act of 1965 as amended; to expedite the development of processes for the synthesizing of liquid and gaseous hydrocarbons; to the Committee on Interior and Insular Affairs.

By Mr. BADILLO (for himself, Mr. ROY, Mr. DERWINSKI, Mr. ROSENTHAL, Mr. DE LUGO, Mrs. COLLINS of Illinois, Mr. DELLUMS, Mrs. SCHROEDER, Mr. RHODES, Mr. WYDLER, Mr. RYAN, Mr. PEPPER, Mr. YOUNG of Alaska, Mr. GONZALEZ, Mr. BENITEZ, Mr. HAWKINS, Mr. MURPHY of New York, Mrs. GRASSO, Mr. BINGHAM, Mr. RODINO, Mr. COHEN, Mr. ROYAL, Mr. LONG of Louisiana, Mrs. CHISHOLM, and Mr. WON PAT):

H.J. Res. 851. Joint resolution authorizing and requesting the President to proclaim the week of May 13, 1974, as Bilingual Education Week; to the Committee on the Judiciary.

By Mr. BADILLO (for himself, Mr. MOAKLEY, Ms. ABZUG, Mr. STOKES, Mr. TREEN, Mr. TOWELL of Nevada, Mr. KOCH, Mr. PICKLE, and Mr. DANIELSON):

H.J. Res. 852. Joint resolution authorizing and requesting the President to proclaim the week of May 13, 1974, as Bilingual Education Week; to the Committee on the Judiciary.

By Mr. PICKLE (for himself, Mr. MCCOLLISTER, Mr. MONTGOMERY, Mr. KEMP, Mr. SPENCE, Mr. BURGNER, Mr. COCHRAN, Mr. DON H. CLAUSEN, Mr. RANGEL, Mr. HUBER, Mr. SCHERLE, Mr. QUIE, Mr. KETCHUM, Mr. ADDABO, Mr. MCEWEN, Mr. BOB WILSON, Mr. ROBINSON of Virginia, Mr. WON PAT, Mr. EILBERG, Mr. ROE, Mr. TREEN, Mr. ROUSSELOT, Mr. HUDNUT, Mr. STEELMAN, and Mr. MAZZOLI):

H.J. Res. 853. Joint resolution expressing the concern of the United States about American servicemen missing in action in Vietnam; to the Committee on Foreign Affairs.

By Mr. REUSS:

H.J. Res. 854. Joint resolution to authorize the President of the United States to proclaim January 1974, "African Relief Month"; to the Committee on the Judiciary.

By Mr. WIGGINS (for himself, Mr. HOSMER, Mr. O'HARA, Mr. MAYNE, Mr. BUTLER, Mr. CONTE, and Mr. McCLOSKEY):

H.J. Res. 855. Joint resolution proposing an amendment to the Constitution of the United States relative to information proceedings and grand jury indictment; to the Committee on the Judiciary.

By Mr. ESHLEMAN (for himself, Mr. WON PAT, Mr. SNYDER, Mr. DERWINSKI, Mr. FROELICH, Mr. SCHNEEBELI, Mr. WINN, Mr. WAGGONER, Mr. ROUSH, Mr. MCDADE, Mr. LOTT, Mr. MITCHELL of New York, Mr. STEELMAN, Mr. BURGNER, Mr. ZWACH, Mr. ROY, Mr. CRONIN, and Mr. MANN):

H. Con. Res. 396. Concurrent resolution expressing the sense of the Congress with respect to certain patents which, if utilized, could result in energy savings; to the Committee on the Judiciary.

By Mr. CULVER:

H. Con. Res. 397. Concurrent resolution providing for the printing of additional copies of hearings before the Subcommittee on Foreign Economic Policy entitled "Foreign Policy Implications of the Energy Crisis"; to the Committee on House Administration.

## EXTENSIONS OF REMARKS

### THE NEED FOR TRADE REFORM

#### HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 10, 1973

Mr. RAILSBACK. Mr. Speaker, I am pleased to add my support to one of the most significant pieces of legislation to come before the 93d Congress. Its provisions are important to all Americans—businessmen, consumers, farmers, and workers.

The Trade Reform Act was originally proposed by President Nixon in April of this year. At that time, he explained:

The trade bill I am sending to Congress can mean more jobs and better jobs for American workmen.

It can help American consumers get more for their money.

It can help us expand our trade, and thus expand prosperity in America.

And, most importantly, these proposals can help us reduce international tensions and strengthen the structure of peace in the world.

As we are all aware, legislation is imperative if the President is to participate in the multilateral trade negotiations. He

has had no authority to conclude international trade agreements since June 30 of 1967—This is the longest period in U.S. history in which a President has not had this authority. Unless the United States has power to grant reciprocal trade concessions to other countries, there can be no progress in moving toward world trade liberalization.

Briefly stated, the major provisions of the Trade Reform Act are as follows:

First, renewal and extension of the President's authority to enter into trade agreements with other countries for 5 years, and authorization to proclaim duty modifications or continuances;

Second, authorization of the President to enter into trade agreements with other countries for 5 years providing for the elimination or reduction of non-tariff barriers and/or any other distortions of international trade;

Third, requirement that, in exercising his trade agreement authority, the President shall assure mutual trade benefits;

Fourth, additional authority granted to the President to temporarily modify restrictions on U.S. imports to deal with balance-of-payment disequilibria and inflation;

Fifth, continuing and close congress-

sional oversight of international trade negotiations and the implementation of and operation of international trade agreements;

Sixth, improvement of the present import relief clause as a means of assuring greater accessibility and more effective delivery of import relief to those industries seriously injured or threatened with serious injury from increased imports;

Seventh, improvement of current adjustment assistance programs for both workers and firms that are adversely affected by increased imports;

Eighth, improvement of domestic public procedures that insure the consideration of the economic interests of all citizens, consumers and producers, exports and importers;

Ninth, improvement of the means of dealing with problems of unfair trade practices in this country and abroad;

Tenth, requirements to respond to the President's request for authority to normalize trade relations with certain trading countries; and

Eleventh, authorization for the President to grant preferential tariff treatment to the exports of developing countries as part of U.S. participation in the common effort to developed countries to

encourage diversification and development of exports from developing countries.

I also might add that, although the President recommended modifications of foreign source income, the House Ways and Means Committee has deferred action on multinational companies and tax modifications until the committee considers tax reform, presumably next session. I had urged such a decision earlier in the year.

To conclude, the Trade Reform Act of 1973 is indeed reform legislation. As the committee report says:

It endeavors to bridge the gap between what has been desirable policy in the past and the needs of a future, with a view toward a continued policy of trade expansion.

The legislation responds to the President's request for authority to participate in the trade negotiations. It recognizes that substantial changes have occurred in the trading arena since the last trade reform legislation was enacted. And, of particular encouragement to me, the legislation includes a substantial delegation of congressional authority.

I urge immediate enactment of the Trade Reform Act of 1973.

#### THE ENERGY CRISIS

### HON. ELWOOD HILLIS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. HILLIS. Mr. Speaker, I have come across an editorial given by John Bradford of radio station WIKY in Evansville, Ind., which I believe to be the most succinct and accurate description of our energy crisis which has appeared to date. Mr. Bradford should be congratulated for his ability to see the problem in such perspective.

And, I also commend ROGER ZION, my colleague from Indiana, who is chairman of the House Republican Task Force on Energy and Resources of which I am also a member, for his attention and hard work on the energy problem.

The radio editorial follows:

#### RADIO EDITORIAL

After the first shock of any crisis, Americans like to hunt scapegoats—so much of the discussion of the energy crisis now centers on the question of blame.

Well, the easy answer is that there is lots of blame to go around. First, of course, President Nixon can be blamed. If he had not started massive military shipments to Israel in October, the Arabs would not have shut off the oil. But then, of course, Congress can be blamed. If it had not ignored the warnings—particularly the energy message proposed by Roger Zion four years ago and the President's message two years ago—we would be much farther on the road to self-sufficiency.

The environmentalists can't escape the blame. They delayed for three precious years the recovery of Alaskan oil because the Caribou might trip over the pipeline. And their crusading has inhibited extraction of coal and exploring for more oil.

Let's not overlook government. Stone-headed policies on the pricing of natural gas

has kept production far below what it might have been.

And, finally, all of the American people share in the culpability. By using thirty percent of all the world's available energy to comfort the six percent of humanity, Americans have brought on the crunch. More than that, Americans have demanded, and got, this energy on the cheap.

Now, after we have finished parceling out the guilt, let's get down to the job of cooperating to avert a serious economic upheaval.

The Republic will stand—but everyone will have to undergo a little sacrifice—a little hardship.

#### THE TRANSFER OF THE SAN DIEGO PADRES

### HON. CLAIR W. BURGNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. BURGNER. Mr. Speaker, it has been reported that the San Diego Padres may be transferred to Washington. The team would abandon San Diego and its new stadium in spite of a currently valid contract between the Padres and the city of San Diego that still has 15 years to run. The team would come to Washington to occupy a new stadium which was built by the District of Columbia Armory Board which was established by the Congress in 1948. This stadium was built with funds raised through the sale of bonds guaranteed by the Government. The stadium will actually revert to the Federal Government at the end of a 30-year period.

The obvious congressional interest in the stadium may have had some effect on the terms of the agreement the Armory Board approved by resolution for rental of the stadium. Not only is the rent a low 10 cents per admission—for the first million admissions—the concessions, part of the advertising, and parking revenues will go to the team. The stadium will be picking up the cleaning, security, and maintenance costs. This, I submit, is a giveaway lease.

All of this raises serious questions of whether the people of San Diego, as Federal taxpayers may have been forced to contribute to the opposing side in the struggle over the transfer of the team.

But what really causes concern among those of us from San Diego is a facet of this deal which should be causing concern to all Members of the Congress who care about the equal treatment of our people by their Government. That is the report that Federal funds may be used to indemnify the perpetrators of this transfer; namely, the National League owners, from monetary liability should the city of San Diego prevail in its breach of contract litigation.

San Diego built a new stadium because of the assurance, contractually given, that the Padres would use the stadium for a 20-year period. If the league wants to authorize a change in the location of the franchise it should be subject to the legal ramifications of violating that contract. The press has carried many reports of assurance that the Congress would authorize the use of tax moneys to

defray the cost of violating the contract. This, above all, cannot be allowed.

#### CON EDISON ON THE ARTS

### HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. REID. Mr. Speaker, I insert in the RECORD a speech recently given by Charles Luce, chairman of the board of Consolidated Edison Co., of New York, on the value of the arts in our society.

Although, as many of the Members know, I have not been a consistent admirer of Con Ed, I do believe that in this case Mr. Luce has shown leadership and initiative in attempting to improve the quality of our lives by broadening support of the arts to show New Yorkers that, as he says:

Art belongs to everyone—not just an elite few.

Mr. Speaker, I commend this article to the attention of my colleagues:

#### ART IN THE URBAN ENVIRONMENT

(Remarks of Charles F. Luce)

Thank you for the recognition you are giving today to Con Edison's urban cultural programs. We have enjoyed sponsoring them as much as we believe their various audiences have enjoyed attending them.

The relationship between business and the arts has improved considerably since Henry James wrote that the average American businessman regarded culture as the special concern of "women, foreigners and other impractical persons."

Business has come to realize that support of the arts is more than altruism—that is good for business because it helps create a better environment for people to work and live in. David Rockefeller, who has done so much to encourage business participation in the arts, has summed this up well. There is need, he said, for things that "can smooth the edges of an environment."

And nowhere is this need more pronounced than in an urban, heterogeneous environment where congested subways, noisy streets and the impersonality of large crowds represent daily existence for many people.

Better housing, education and employment opportunities are of course the paramount goals in the effort to improve the quality of urban life. Much remains to be done in these areas, and Con Edison is attempting to do its share. Art cannot be presented as an answer to what are very serious economic and social problems.

However, art can do other important things for society. It can help celebrate those occasions that mark man's common humanity. For individuals, it can keep them responsive to new ideas; by enriching their knowledge of the past, it can define their individuality; and it can give hope for the future.

Indeed, art offers each of us new dimensions of perception, satisfaction and joy that we cannot find in any other pursuit.

Because of art's positive contributions, it is surprising that business took so long to realize the value—and even the necessity—of active corporate support.

Fortunately, there was other support to fill this void. Through the centuries, the arts enjoyed the patronage of certain governments, religious institutions and wealthy families. From the Medici to the Mellons, such patronage produced individual works of art as well as the museums and other public



buildings where art could be viewed and appreciated by others.

Of course, many of these wealthy families earned their fortunes through commerce. But they were the exception. Until recently, only a small percentage of American businessmen supported the arts—or even displayed any interest in them.

And government in America tended to share this disinterest. Except for such efforts as the Depression-era artists and writers projects—projects prompted by extraordinary circumstances—the federal government did practically nothing to further artistic development prior to the early 1960s. And the states were not much better. The creation of the New York State Council on the Arts in 1960—with a budget of \$50,000—marked the first such effort in the nation aside from a short-lived Utah State Art Institute created in 1899.

Much credit has been given to the 1965 Rockefeller Panel Report on the Performing Arts for being the catalyst in fostering increased business and governmental support. And certainly the dramatic post-1965 increase in corporate support for traditional cultural institutions such as museums and symphony orchestras—as well as the new governmental commitment on all levels—is in good part attributable to this report.

Corporations have increased their support of the arts from \$22 million in 1965 to more than \$100 million today. And they have formed such groups as the National Business Committee for the Arts and this local Arts and Business Council to further their involvement.

From its humble initial budget of \$2.5 million in 1965, the federal government's National Endowment for the Arts is now spending \$118 million to support the arts on all levels. The New York State Council is now funding arts groups at the rate of \$15 million a year, and the other 49 states have followed New York's lead in establishing such agencies. New York is still well in the lead, however. The New York Council's budget exceeds the combined total of all the other states' annual appropriations for arts councils.

This increased corporate and governmental support could not have come at a more opportune time. As Schuyler Chapin and others have pointed out, the personal philanthropy that has long supported such institutions as the Metropolitan Opera is rapidly becoming a thing of the past. New tax laws and other factors have caused a marked reduction in the large individual gifts that have been the traditional backbone of such institutions.

For the long term, it is essential that governmental support be broadened and strengthened. However, many large corporations—manufacturing companies, oil companies, airlines—are today helping to pick up the slack, both by grants to cultural institutions and by sponsoring cultural programs on public and commercial television which, in turn, help to develop new audiences for the institutions.

I am the first to enjoy the results of such corporate undertakings, and I certainly hope they will continue and grow in scope. But we at Con Edison—partially through choice and partially through necessity imposed by limited resources—have taken quite a different path. We have directed our corporate support solely to urban cultural programs on the community level within our service territory.

We consider our cultural programs an integral part of that which is popularly called a corporation's "social responsibility." Therefore, our efforts to improve cultural opportunity are closely related to our efforts in the more traditional areas of corporate involvement such as employment, health and education.

Just as our educational and civic contributions are directed to specific programs

that fill the greatest human needs within our service territory, so is it also with our cultural dollars. And there is, we believe, good reason for such a practice.

As a public utility, Con Edison is forever bound to the five boroughs of New York City and Westchester County. If economic and social conditions become difficult here, we do not have the option of picking up our corporate headquarters and moving to Dallas or Denver or even suburban New Jersey. Our concern about the quality of life here is real. And, within the strictures of our limited and tightly regulated resources, we are attempting to improve it in whatever way we can.

We want all New Yorkers to know there is a Lincoln Center and a Metropolitan Museum of Art, and to be proud of the fact. That is why we sponsor with such institutions programs that many segments of the community will attend and enjoy.

We want all New Yorkers to know that art belongs to everyone—and not just an elite few. That is why we set up art galleries in our district offices and contribute equipment and manpower so large sculptures can be exhibited at various public sites.

We want all New Yorkers to be able to share in the varied cultural resources of our City. That is why we support a program that brings entertainment to the frequently forgotten residents of nursing homes and other institutions.

Aside from being directed toward those who might be called the victims of a cultural inequality, our arts programs have two other traits in common: they feature strong community input and participation, and they involve more than just financial support. Our monetary limitations being what they are, we rely heavily on ingenuity, creative use of internal corporation resources, and co-operation with arts and community groups in order to stretch our involvement far beyond what it would be if our participation were strictly financial. And I think most others corporations could do the same thing.

Our two largest cultural programs this past year were the Community Holiday Festival at Lincoln Center and the History of Puerto Rican Art exhibit at the Metropolitan Museum of Art and El Museo Del Barrio, a community museum in Spanish Harlem. In each case, our total contribution was much greater than could be measured in just dollars and cents. And the community benefit from these programs was much greater than could be measured in just attendance figures.

For the Puerto Rican art exhibit, the first comprehensive survey of Puerto Rican art, we assisted with publicity and the preparation of educational printed materials. Through our community contacts, we helped arrange attendance by school and community groups. Before the exhibition closed, it had been viewed by 25,000 persons at El Museo and 50,000 at the Metropolitan. For many members of New York's Hispanic community, the exhibit marked their first visit to the Metropolitan—even though this museum of diverse art treasures is less than 30 blocks from Spanish Harlem. Hopefully, their interest was whetted enough to encourage return visits. Hopefully, this exhibit also helped create the sense of community, and the appreciation for one's heritage, that I mentioned earlier.

Likewise, our sponsorship of the Community Holiday Festival at Lincoln Center involved more than contributing funds to produce the 12 programs.

Working with a large network of community groups, as well as the Board of Education, we spent scores of manhours on audience development. As a result, 11,000 persons from disadvantaged areas, mainly children and family groups, attended the Festival and enjoyed performers from their own neighborhoods in programs arranged by borough

arts councils and other umbrella groups, such as the Harlem Cultural Council and the Chinatown Planning Council.

For many in the audience—and on the stage—it was their first visit to Lincoln Center. And the fact that audiences were watching performers from their own communities—and their own ethnic groups—did much to instill a feeling of community and individual worth among audience and performer alike. And, I might add, the programs were also very entertaining: they provided a very pleasant afternoon or evening, even without their concomitant social value.

Our effort to do the most with our limited cultural funds is a continuing process. And we're always on the lookout for new opportunities. Some of our most successful programs to bring art to the community involve no financial contribution per se, but are based on the donation of manpower, equipment and facilities.

For example, one unorthodox—but successful—activity was the establishment of a community art gallery in one of our Bronx district offices. This undertaking came about when the Bronx Museum was seeking, through the Bronx Council on the Arts, a public location to display the work of local artists. In addition to volunteering the use of our storefront office, we also made the renovations necessary to facilitate the hanging of paintings.

The gallery has been in operation nearly a year now—with the shows changed every six to eight weeks to give many artists a chance to be exhibited. Similar projects are now underway in our Brooklyn and Staten Island Divisions—and are being planned in Manhattan.

Just as we put office space into use as an art gallery, we also put 60-foot cranes into use to move large sculptures. We are told that the cost of outdoor sculpture exhibits sponsored by the Association for a Better New York and the Parks Department was reduced considerably by Con Edison's equipment and manpower contributions. And thousands of New Yorkers viewed the sculptures at their new public sites in the Bronx, Brooklyn and Manhattan.

We are finding new ways to expand our contribution to the arts. For example, we have provided portable generating equipment for outdoor art festivals; we have helped defray the administrative costs of arts groups by printing catalogs and other materials; we have donated surplus furniture to museums and theater groups; we have shared our manpower and professional expertise with several cultural organizations; we work to stimulate employee interest in the arts.

Is it over-reaching to compare, as some have done, today's corporate support of the arts to the traditional patronage of the arts by the leaders of commerce that began with the Renaissance mercantile princes?

Surely, sponsorship of community art galleries—or even a capital grant for a new concert hall—is not the same as commissioning a work by Leonardo da Vinci.

However, 20th century New York is not 15th century Florence. Its needs are different; its opportunities are different; its resources are different.

Within the context of these differences—and within the context of necessary further increases in government support for our cultural institutions—that which is being done today by some corporations—and by groups such as the Arts and Business Council—can have in the long run great significance.

It can improve our physical, social and cultural environment; it can give our fellow citizens new horizons to which to aspire; and it can evoke those small pleasures that are all too often absent in our hectic, computerized society.

Con Edison is delighted to be part of such an exciting undertaking.

## STRIKING THE BALANCE

## HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. PICKLE. Mr. Speaker, when we are faced—as we are with the energy shortages—with something that strikes at the heart of our way of life and at our livelihoods, it is hard to keep one's head together.

It is hard not to find a scapegoat, strike out in anger, and try to find a "quickie" method to get out of the jam.

It is even harder to sit down, put one's feet in the other guy's shoes, and find a reasonable solution to the problem that everyone can live with.

It is hard even when not doing it means the situation will only become worse.

It is particularly hard if that "other guy" happens to be someone like the oil companies.

But that is just what we must do if we are to have energy at all in the next decade.

Ms. Margaret Mayer, an experienced and outstanding journalist, addressed this problem in a column in the Dallas Times Herald recently, and I would like to reprint that column in the Record at this time:

## PROFIT VERSUS GOUGING

(By Margaret Mayer)

Price gouging is not the solution to the energy crisis. Higher prices—both to dampen demand and provide incentive necessary to develop new energy resources—are, in the opinion of some of the brightest minds applied to the subject, a necessary step in the solution.

Convincing the public there is a difference between the two—that legitimate profit is not price gouging—is the toughest problem facing industry today and in the months ahead.

Any Washington cab driver can tell you who's responsible for the gasoline shortage—the oil companies. The oil companies caused it so they could "rake in" more money. When gas stations servicing cabs in Washington limited drivers to less than 7 gallons (a maximum \$3 purchase) 10 days ago, the shortage hit their livelihood. They wanted somebody and something to blame.

How are you going to convince a cab driver or a truck driver that a 60 percent increase in 3rd quarter profits for oil companies was due to higher tanker rates or changes in foreign currency exchange rates or higher prices abroad that didn't really affect the price he pays at the pump?

How are you going to explain that a one-month 34.7 per cent jump in wholesale prices for refinery products may be based on misleading markets?

Try to tell the cab driver that oil company profits are actually less than those for manufacturing as a whole.

The best reasoned, most valid defense of oil profits in the current climate will make the "sinister force . . . devil theory" for erasure of 18 minutes of conversation on a White House tape sound like clear logic by comparison.

The comparison is a seriously topical one. Senate Democratic Leader Mike Mansfield last week referred to oil company financial records as "the most secret documents in the world." Say "secret" these days and the mind flies instantly to something sinister like secret Watergate tapes.

The implication is that the companies are hiding even larger profits than those reported and, more particularly, huge reserves of oil and natural gas that they refuse to tap until prices go even higher.

A "company man" who understands congressional hostility toward the oil industry admits that companies do not want to open up information on reserves (though keeping them secret may be the more damaging alternative) for competitive reasons. The explanation falls on deaf ears with anti-industry congressmen who refuse to acknowledge any competition exists where oil is concerned.

The industry man also admits that companies are loath to disclose the extent of their tax write-offs, which some begin to believe are a political millstone that outweighs the benefits derived.

He does deny, as Mansfield implied, that profits are either secret or exorbitant, pointing out that even the Federal Trade Commission, presently intent on breaking up big integrated oil companies, says the rate of return on oil investment is not excessive.

"We're not hiding our profits," he says. "It's just that people don't want to sit still and listen to reason."

His reasoning is along the lines stated last week by the new respected energy czar, William E. Simon. It begins with the time when energy was both overabundant and cheap. When its value took on meaning, government assumed control. Producers went out of business.

The natural gas industry, as the foremost example, claimed 14,000 producers when the federal power commission started clamping down on prices in the early 1950's. Today there are 4,000 producers and the most ardent advocate of FPC control decries "big oil and gas."

"In the guise of protecting the consumer," says the company man, "they (control advocates) have made the industry so concentrated that it's in the hands of a few. If they carry through to their ultimate goal, they would make the product so cheap that the consumer can't get it at any price."

The choice for the consumer, he says, is between more expensive energy or no energy.

The problem is how to convince the consumer and, through him, the politician.

## DISTINGUISHED SERVICE AWARD OF THE NATIONAL KIDNEY FOUNDATION

## HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. ESCH. Mr. Speaker, it is with great pleasure that I inform the Members of the House that Mrs. Harry Anderson, of Ann Arbor, Mich., has been presented the Distinguished Service Award of the National Kidney Foundation.

Veda Anderson, a member of the Board of Regents of Eastern Michigan University, was one of the founders of the Kidney Foundation of Michigan and has served as its vice president and as a trustee.

Last year, Mrs. Anderson was elected vice president of the National Kidney Foundation, a national voluntary health agency working toward the prevention, treatment, and cure of kidney disease. The organization and its State affiliates sponsor research and detection programs, educate the public and professionals in

the field, provide patient and community services, inform legislators and insurance carriers as to the need for health care and help secure organs for transplant through the organ donor program.

In addition, to her many efforts on behalf of those suffering from kidney disease, Mr. Anderson helped initiate the National Kidney Foundation trick or treat candy program which has raised hundreds of thousands of dollars for the foundation.

Mr. Speaker, the Nation and especially residents of Michigan, will long remember the unselfish efforts of Veda Anderson. In announcing that she would be presented the Distinguished Service Award, National Kidney Foundation President E. Lovell Becker said it is "in recognition for your outstanding contributions through the years to build a strong kidney foundation, both locally and nationally."

## DR. RUSSELL A. NIXON DIES AT 60; COLUMBIA MANPOWER ECONOMIST

## HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. HAWKINS. Mr. Speaker, this week a noted specialist, economist and educator, Dr. Russell Arthur Nixon, died of a heart attack in New York City after a distinguished career.

I am personally indebted to Dr. Nixon for his invaluable service in assisting me in the development of plans for the furtherance of a full employment program.

Under his inspiring leadership and unlimited enthusiasm, we were involved, even up to the week of this death, in formulating what we believed to be an absolute necessity to commit the Nation to a "guaranteed jobs program."

In the crisis through which we are now passing, men of the type of Russ Nixon are badly needed; and it is our hope that he leaves with us a legacy of inspiration that will motivate others to carry on the work he so unselfishly started.

A relevant news item on this distinguished American from the December 9, 1973, edition of the New York Times follows:

DR. RUSSELL A. NIXON DIES AT 60; COLUMBIA MANPOWER ECONOMIST—PROFESSOR OF SOCIAL POLICY WAS CONSULTANT TO GOVERNMENT AGENCIES AND UNIONS

Dr. Russell Arthur Nixon, a leading manpower economist, died yesterday of a heart attack in St. Vincent's Hospital. He was 60 years old and lived in Brooklyn Heights.

Dr. Nixon was associate professor of social policy at the Columbia University School of Social Work and chairman of the community relations committee of the university Senate since 1969.

From 1966 to 1971 he worked with Congressmen and Congressional committees on manpower, anti-poverty, delinquency and rehabilitation legislation, including the comprehensive manpower and family assistance plan proposals in 1970.

## PROFESSOR AT NYU

In 1968-69, Dr. Nixon was associate professor at the New York University Graduate



School of Social Work and associate director of the Center for the Study of the Unemployed, where he directed its institutes and curriculum development.

In 1967-68 he gave manpower courses at the New School for Social Research, and earlier lectured at the Lewis M. Herrman Labor Education Center of Rutgers University.

From 1962 to 1965 he was manager of The National Guardian, a weekly newspaper that described itself as "progressive."

#### CONTEMPT CITATION

In 1964 Dr. Nixon was called to testify before the House Un-American Activities Committee after he and two members of the Women Strike for Peace Group, Dagmar Wilson and Donna Allen, had urged in 1963 that State Department admit for a lecture tour the Japanese law school dean and pacifist Kaoru Yasui.

The three refused to appear before the committee, protesting that the closed sessions would violate their freedom of speech by depriving them of the opportunity to deny publicly any implication that they had been involved in subversive activities.

Dr. Nixon, Mrs. Wilson and Mrs. Allen were cited for contempt of Congress, but those citations were thrown out in 1966 by the Court of Appeals for the District of Columbia.

Dr. Nixon was Washington representative of the United Electrical, Radio and Machine Workers of America from 1941 to 1962, serving as liaison with many Federal agencies on union legislative and economic matters.

In World War II he served with the infantry in Europe. In 1945 he transferred to the American Military Government, and took an important part in the denazification process in Germany. He was deputy director and acting head of the division of investigation of cartels and external assets for the American Military Government in Berlin.

Dr. Nixon received the Bronze Star for participating in the Allied intelligence group that uncovered Nazi poison gas plans and facilities.

Before the war he was legislative representative of labor's Non-Partisan League, a Congress of Industrial Organizations legislative and political unit in Washington, and worked with John L. Lewis, the labor leader.

Dr. Nixon was born July 27, 1913, in St. Paul, graduated from the University of Southern California in 1934 and received a Ph.D. degree in economics from Harvard in 1940.

From 1937 to 1941 he was an instructor and tutor in economics at Harvard, where John F. Kennedy was among his students. In Theodore C. Sorensen's biography, "Kennedy," the late President is quoted as saying that he was not a professional economist "but [one] who knows a hell of a lot about it after taking Ec-A under Russ Nixon at Harvard."

Dr. Nixon also taught economics at Radcliffe College from 1939 to 1941 and earlier at the Massachusetts Institute of Technology.

#### CONSULTANT TO AGENCIES

He had been a consultant to the University Research Corporation, the Office of Education of the United States Department of Health, Education and Welfare, the Community Action Program of the Office of Economic Opportunity, and the Vocational Rehabilitation Program of the New York City A.F.L.-C.I.O. Central Labor Council.

In 1970-71 he worked with the Secretary of Labor of Puerto Rico in developing a program for public-service employment of unemployed youths.

Dr. Nixon was a member of the board of editors of Science and Society, a scholarly quarterly; chairman of the subcommittee on construction industry of the Employment Opportunities Committee, New York and a member of the Manpower Task Force, the

New York Urban Coalition and of many professional societies.

Surviving are his widow, the former Florence Guild; his mother, Mrs. May Nixon, and a sister, Mrs. Lois Kratha.

A memorial service will be held later at Columbia University.

#### SPECIAL PROSECUTOR

### HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. CARTER. Mr. Speaker, the Honorable WILLIAM "BILLY" COHEN of the State of Maine was elected to the 93d Congress of the United States. He is a graduate of Bowdoin College and the Boston University Law School. Recently, it was my pleasure to hear him speak informally to our prayer breakfast group. It is apparent that he is a man of sincere and deep conviction, of unusual brilliance and ability. I submit that in the years ahead he will become prominent in the affairs of this Nation.

I include for the RECORD an article appearing in today's Washington Post in which he presents the case against authorizing the U.S. District Court to name a Special Watergate Prosecutor.

#### ENDANGERING THE SPECIAL PROSECUTOR

(By WILLIAM S. COHEN)

Justice Holmes once wrote that a "catchword can hold analysis in fetters for 50 years." It is a noteworthy observation, for as Congress prepares to debate and deliberate on the subject of a special prosecutor, it is in danger of being mesmerized by the popular call for an "independent" prosecutor. The need for a special prosecutor whose independence cannot be summarily intruded upon by the body that is the subject of investigation can no longer be a matter of legitimate debate. The question is, how can the objective of establishing the office of special prosecutor be achieved most expeditiously and in a manner that will survive constitutional attack?

The House Judiciary Committee has reported favorably on a bill that would require a panel of U.S. District Court judges to appoint the special prosecutor. Though the bill has several commendable features designed to strengthen it against challenges that are certain to follow, most proponents of the bill, including Archibald Cox, have conceded that it is not free from Constitutional doubt.

It is argued, however, with a familiar ring of pain reliever commercials, that three out of four experts agree that the bill is Constitutional. When further delay in taking action on Watergate-related criminal activities can only contribute to the disintegration of public confidence in our institutions, one must ask what public interest is being served in adopting a bill that has a quarter-moon chance of being invalidated?

In addition, the U.S. District Court in Washington, in a unique, unsolicited "advisory" opinion, stated that the proposal would be unwise, unwelcome and (impliedly) unconstitutional. Proponents of the bill dismiss the admonition as not rising to the dignity of judicial dicta. It is interesting to speculate what reception the Court's opinion would have received had it endorsed the Judiciary Committee's proposal.

But all of this misses the mark. The question really is not one of independence. Mr. Cox was independent and Leon Jaworski, to the great despair of some, is demonstrating

daily that he too is independent. Congress can draw statutory prohibitions against arbitrary orders emanating from the White House concerning the prosecutor's tenure. The problem has been and is the lack of access to presidential documents, memoranda and recordings. Congress, through a confirmation process by the Senate, could insist upon a commitment that is tantamount to a waiver of that vague and seemingly all-purpose doctrine of executive privilege as a condition precedent to its approval of a special prosecutor nominated by the President. Mr. Nixon has said in private that the "special prosecutor should have everything and when he asks for it, he shall get it." Vice President Ford has testified that in his opinion executive privilege should not be invoked in any claims involving alleged criminal conduct. This proposal would simply commit broad promises into the semi-permanence of statutory ink.

Congress, however, dazzled by the glitter of obtaining a special prosecutor who could never be fired by the President for any reason—legitimate or not—appears unwilling to adopt any alternative course of action. Moreover, many proponents of the court-appointed prosecutor privately suggest that whether or not the committee bill proves to be constitutional is of little consequence, since the question soon will be moot.

These members envision the following sequence of events: The bill for a court-appointed special prosecutor will pass the House and Senate. The President will veto the bill and the veto will be sustained. Mr. Jaworski, in the meantime, will continue his efforts in securing indictments against all wrongdoers. If he succeeds, he will be praised by all; should he fail, the proponents of the bill can maintain that they stood tall in the pursuit of justice while the President and his votaries (anyone who opposed their bill) achieved their goal of frustrating and defeating the search for truth.

But assume a different scenario. Assume that certain White House advisers, unhappy with Mr. Jaworski's independence, were to suggest to the President that while they believed the bill to be unconstitutional, the President should not veto it and allow the courts to make the determination. The immediate result would be weeks and perhaps months of delay, confusion and confrontation. Mr. Jaworski would not be able to continue his efforts because congressional action would have superseded his appointment. The President would be under no obligation to "fully cooperate" with a court-appointed prosecutor whose office would almost certainly be challenged, if not by the White House, then surely by prospective defendants. Thus the quest for truth would be delayed and perhaps even derailed.

While it is not the most desirable arrangement, what is best for the country "at this point in time" is to allow Mr. Jaworski to continue in office, with his integrity and demonstrated independence buttressed by strong statutory protection. The greatest safeguard against his dismissal by the President is public opinion. President Nixon crossed that Rubicon on October 20, 1973. He is not in a position to cross it a second time.

#### MY VOTE ON THE TRADE REFORM ACT

### HON. CHARLES E. WIGGINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. WIGGINS. Mr. Speaker, I regret having missed the opportunity to vote

today on the Trade Reform Act, but unfortunately I had to be in attendance at a meeting of the Commission on Revision of the Federal Court Appellate System. While I do have strong reservations about some aspects of the act, especially in regard to the Vanik amendment of Export-Import Bank credits, I feel that other factors weigh in favor of the legislation, and thus would have voted in favor of final passage.

#### DANIELSON POLL SHOWS IMPEACHMENT FAVORED

#### HON. GEORGE E. DANIELSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. DANIELSON. Mr. Speaker, I recently sent a questionnaire to all of my constituents in the 29th District of California, asking their opinions on many of the major issues that face us today. I feel sure that my colleagues would be interested in the results of that question-

naire so I am inserting it in the RECORD at this point:

#### DANIELSON POLL SHOWS IMPEACHMENT FAVORED

Congressman George E. Danielson today released preliminary questionnaire results indicating that impeachment of President Nixon is favored by a majority of the 29th Congressional District residents who responded to his recent poll.

"It is interesting to note that while the mail I received on this issue favored impeachment by a six to one margin," Danielson pointed out, the results of the questionnaire are substantially different, with 53.9% of those replying indicating support and 42.5% opposing impeachment. There were 3.6% undecided. This is still a substantial majority, but not as overwhelming as the mail count."

Other results announced by Congressman Danielson showed overwhelming support for export controls on scarce commodities. Very strongly favored, also were the establishment of an independent special prosecutor's office, health insurance legislation, the death penalty on serious federal crimes, a limit on total federal spending, and efforts to improve relations with the Soviet Union and Mainland China.

Danielson's questionnaire results also showed a strong feeling among his constituents that the President has too much authority to

act without the consent of Congress, with 59.4% replying "yes" and 34.1% saying "no". There were 6.5% undecided.

Almost an equal number of respondents favored and opposed the continuation of compulsory wage-price controls, with an unusually large percentage of undecided among those polled.

Danielson also tallied the results by sex, and had a separate place for persons between the ages of 18 and 20 to reply. Some of the more striking differences that showed up included the fact that women were slightly less willing to impeach the President and to set up a special prosecutor's office than either the men or the young people. On impeachment, 18-20 year olds—57%; men—55%; women—52%. On the special prosecutor's office, 18-20 year olds—76%; men—73%; women—70%.

Young people tended slightly more to oppose wage-price controls and also included a larger group of undecided. Women tended to show less support than men for health insurance legislation, the death penalty, and improved relations with the Soviet Union and Mainland China. On the other hand, they gave stronger approval to export controls on scarce commodities than the men did. Young people favored these controls even slightly more than women did.

The preliminary results of the questionnaire are shown below:

[In percent]

	Total	Male	Female	Age 18-20		Total	Male	Female	Age 18-20
1. Do you favor the impeachment of President Nixon:					6. Should the death penalty be imposed for serious Federal crimes such as kidnapping, assassination and airline hijacking:				
Yes.....	53.9	55.2	52.2	56.9	Yes.....	74.6	76.8	72.9	67.3
No.....	42.5	41.3	44.2	37.9	No.....	20.0	19.1	20.6	24.1
Undecided.....	3.6	3.5	3.6	5.2	Undecided.....	5.4	4.1	6.5	8.6
2. Do you favor having a special prosecutor for Watergate matters independent of the President and responsible only to the courts:					7. Should Congress adopt a strictly enforced limit on total Federal spending each year:				
Yes.....	71.9	73.3	69.9	75.9	Yes.....	72.0	72.1	72.4	67.2
No.....	22.8	22.9	22.9	20.7	No.....	16.4	16.4	15.9	20.7
Undecided.....	5.3	3.8	7.2	3.4	Undecided.....	11.6	11.5	11.7	12.1
3. Do you feel the President has too much authority to act without the consent of Congress:					8. Should the U.S. impose export controls on feed grains and other scarce commodities until our domestic needs are filled:				
Yes.....	59.4	59.5	59.2	60.3	Yes.....	90.3	88.6	91.9	93.1
No.....	34.1	34.9	33.4	32.8	No.....	5.3	6.8	3.4	6.9
Undecided.....	6.5	5.6	7.4	6.9	Undecided.....	4.4	4.6	4.7	.....
4. Do you favor the continuation of compulsory wage-price controls after phase 4:					9. Do you support efforts to improve diplomatic and trade relations with the Soviet Union and mainland China:				
Yes.....	41.0	41.0	41.5	36.2	Yes.....	67.6	68.8	65.3	75.9
No.....	40.7	42.7	38.5	39.7	No.....	20.2	19.7	21.3	15.5
Undecided.....	18.3	16.3	20.0	24.1	Undecided.....	12.2	11.5	13.4	8.6
5. Do you favor Federal legislation to make health insurance available to all citizens:									
Yes.....	76.2	77.9	73.7	81.0					
No.....	15.6	15.0	17.5	5.2					
Undecided.....	8.2	7.1	8.8	13.8					

#### BLACK SLAVERY IN ARAB NATIONS

#### HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. WOLFF. Mr. Speaker, I was appalled to learn of an article published in La Tribune de Genève this spring which details clandestine slavery operations which involve the buying and selling of young blacks in North Africa and the Mideast.

This practice is reprehensible and inimical to man's moral sense and I wish to insert this article in the RECORD so that it may be brought to the attention of every Member of this body.

A translation of the article, which appeared in French, follows:

#### SLAVE TRADE GROWING ON SEMI-CLANDESTINE ARABIAN MARKETS

"The prettiest teenagers are destined for harems."

One discusses the price, and after that the father and the uncles count the money, the young woman is taken away, bewildered and fearful. She is added to the flock of female captives.

The young blacks seem to make their way towards the harems of Saudi Arabia, Kuwait and Yemen . . . —the Arabs have been fond of young black women, these young women are treated with sweetness and are well nourished, one sees from this (treatment) that they will not be tested too much throughout the trip.

A representative of the AntiSlavery Society, finding himself in the South of Libya, met with a group from Touraegs, who accompanied a dozen slaves, teenagers and young black men who have been bought to Mali or to Nigeria. The slave dealers act as if they are members of their families.

But it is without a doubt that these captives are destined to be sent to the Middle East and sold for about a week's wages later into the half secret slave march from Djabba, Riya, Mecca or Nassaria.

Saudi Arabia officially counted 250,000 slaves in 1962. At that time, King Faisal proclaimed a law emancipating them. An important act . . .

A considerable expenditure was forseen for their masters to buy back some of the slaves. In fact, Faisal's measure did not produce any effect. So what did the masters lose?

Since that time, the export of slaves towards the processions and harems of the Middle East have not stopped, but have increased.

#### TO PURCHASE 25-ACRE TRACT ON CHESAPEAKE BAY FOR NATIONAL PARK SYSTEM

#### HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mrs. HOLT. Mr. Speaker, I am today introducing legislation with my colleague, Mr. HOGAN, which authorizes the Department of the Interior to purchase 25 acres of property on the Chesapeake Bay for inclusion in the National Park System.



December 11, 1973

This tract of land which is within an hour's drive of Washington is one of the few remaining parcels of property on the western shore of the Chesapeake Bay which is not being developed. It is currently being managed by a non-profit organization, the Jaycee International Brotherhood Foundation, Inc., as an international center designed to facilitate communication between U.S. citizens and foreign visitors to our country.

This unique center serves as an educational, cultural, and recreational site. It affords our citizens the opportunity to acquaint themselves with America's international heritage, our present and future world involvement, and an opportunity to meet citizens of other nations in a relaxed and informal atmosphere. It likewise allows international guests to gain first hand impressions of the American way of life through meetings and discussions with American citizens. I am extremely pleased that this center is located in my district and firmly believe that its continued growth will greatly aid our efforts to promote international understanding and harmony.

My bill will authorize the Department of the Interior to include this tract in the National Park System and provide for the continued management and development of the park by the Jaycee International Brotherhood Foundation under the auspices of the National Park System.

I commend the Jaycees for innovative efforts in this area and urge prompt action on this legislation to ensure that this worthwhile concept becomes a reality.

IN PROSPEROUS JAPAN, GOVERNMENT, UNIONS, AND BUSINESS ARE PARTNERS—NOT ANTAGONISTS

### HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. CARTER. Mr. Speaker, it is clear that there is much room for all Americans to work together more closely for greater productivity and economic strength. I submit for the RECORD an item that provides insight into the advantages of national teamwork:

IN PROSPEROUS JAPAN, GOVERNMENT, UNIONS, AND BUSINESS ARE PARTNERS—NOT ANTAGONISTS

And that's why they are all three so prosperous.

The Unions hold rallies to spur their members on to better work, greater productivity. Workers jog from entrance to machine, job to job. They do callisthenics on their lunch period, to keep fit for better work. They literally consider themselves a team, with team spirit.

Government sets taxes to encourage company profit and growth.

Business is alert to the needs of the market and quick to invest in modern equipment to improve products, increase productivity, cut costs and prices.

All this results in a spirit of what we used to have here and called teamwork. And we had better get it back if we ever hope to get our jobs back.

Japanese wouldn't understand our antagonism between government, unions, business which some people call our Adversary Democracy. But whatever you call it, the antagonism between the groups here who should be partners is so increasing American costs and prices that it is shifting hundreds of thousands of American jobs to hard-working, low-cost Japan.

### A FOURTH SKYLAB MISSION?

### HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. TEAGUE of Texas. Mr. Speaker, Capt. James Oberg in a November 25, 1973, article in the Los Angeles Times discusses the outstanding success of the three Skylab missions and proposes that a fourth Skylab mission be undertaken. Had it not been for the severe restraint on funds for the past 6 years for the National Aeronautics and Space Administration, such a mission undoubtedly would have been undertaken, given the success that has already been achieved. As unlikely as this mission may be at the present time, I believe that this article deserves the attention of my colleagues and the general public:

#### THE VALUE OF A FOURTH SKYLAB MISSION (By James Oberg)

Three more Americans have set up house in the 285-mile-high Skylab space station. This third—and according to current plans, last—crew of Skylab astronauts is to carry out scientific, medical and engineering experiments during a flight that may last as long as 12 weeks.

After astronauts Gerald P. Carr, Edward G. Gibson and William R. Pogue return to earth early next year, the 85-ton space laboratory will be abandoned in orbit. NASA engineers and scientists will settle down to study the results of the three Skylab visits and to prepare for the 1975 joint Soviet/American space flight and the late 1970s space shuttle project.

But there is another option. NASA may be able to use a back-up rocket and an extra Apollo capsule to send a fourth crew of astronauts to the space station. This bonus mission could carry out a series of valuable experiments at little extra cost.

During the 59-day flight of Skylab-2, in August and September of this year, NASA officials thought they might have to use this backup rocket. Some steering rocket failures on the Apollo ship in orbit prompted flight controllers to suspect that the capsule would not be able to return to earth safely. If their fears had been confirmed, a rescue ship would have had to have been sent.

As it turned out, the Apollo was able to return to earth under its own power, and the rescue ship was not launched.

If the third Skylab crew also returns safely, the rescue ship will no longer be needed. It will be dismantled and placed in storage and may eventually wind up in a museum or a scrap heap.

The space vehicle is already paid for and would cost NASA only the price of fuel and the salaries of the ground crews to launch it into space and recover the capsule on return.

The official NASA designations for the Skylab space shots do not coincide with popular usage. According to the space agency, the Skylab space station, launched

unmanned May 14, was SL-1. The first crew of astronauts, launched 11 days later, was designated SL-2 by NASA, but the mission was called Skylab-1 by the astronauts and by news correspondents.

NASA's SL-3 was Skylab-2, and SL-4 has now carried the third crew of Skylab astronauts into space. The rescue rockets, the Apollo capsule, and the trained crew were all part, according to NASA convention, of the SL-R mission, the "Skylab rescue" mission.

Why should we make a fourth Skylab flight? Haven't three missions already accumulated more than enough data to keep NASA busy for years to come? Would an extra mission be practical, safe and worthwhile?

There are some unique opportunities this proposed mission could take advantage of. The first has to do with a later winter flight. The second deals with "lead time."

The first three Skylab visits were (and are being) made during June, August-September, and November-January. Astronauts on board the orbiting station scanned the earth with special multispectral survey cameras, recording data on earth resources that will be useful in finding mineral deposits, controlling pollution and monitoring crop growth.

A fourth Skylab flight in February or March would fill the gap in the cycle of seasonal Skylab coverage. A complete year could be surveyed at the selected Skylab observation sites. This would be particularly valuable for agricultural and ecological studies.

Furthermore, photographs of the late winter snow cover over North America could be analyzed to give geologists information on snow volume and the consequent water runoff that would come after the spring thaw.

Flood danger areas could be reinforced weeks in advance. A repetition of the millions of dollars of damage caused by the 1973 Mississippi spring floods might be prevented.

Scientific studies of the sun and stars could be continued with the use of the giant Apollo telescope mount attached to the space station. In March, separate space probes launched from earth will be arriving at Mars and at Venus. Observations from Skylab could be coordinated with data relayed from these probes.

A number of promising engineering experiments were tested on the first two Skylab visits, and equipment that may someday be used on the space shuttle and post-1980 American space stations is being tested. Special experiments in zero gravity materials processing may open up an entirely new industry of weightless metallurgy.

But such experiments take many months to plan, and more months to put together the necessary equipment. The results of the experiments carried out on Skylab-1 and Skylab-2 were still being studied when Skylab-3 was launched. The "lead time" from test, to evaluation, to plan, to retest was too long. Designs for new experiments and new procedures for old experiments will be coming out in the next few months but the soonest the results can be used on another space flight is more than five years from now, when the space shuttle project begins flying.

An extra Skylab mission could use the results of the first two missions to carry out entirely new or only slightly modified old experiments. Experimenters would have a chance to make investigations that otherwise would be delayed five years.

If the rescue capsule and rocket were used for an extra mission, what will stand by to rescue the astronauts if something goes wrong? And this last Skylab crew is supposed to empty the food lockers of the space station down to the last crumb. Where would a fourth crew get its food, water, and oxygen?

The need for a rescue rocket was decided on when NASA had to modify the Apollo

capsule for use as a vehicle in which crews could travel to the Skylab. Originally designed for two-week moon flights, the Apollo would now be redesigned for earth orbital flights of 60 days or longer.

The Apollo power system simply cannot last that long, so for most of the flight the Apollo is "powered down." That is, its on-board fuel cell electrical power system is turned off, and power is fed to it from the solar cell panels on the space station. At the end of the mission the astronauts switch the Apollo electrical systems back on and return to earth.

Doubts about the ability of the Apollo to "power up" after 60 days in the coldness of space prompted NASA officials to order preparation of a standby rocket. If the Apollo systems could not be turned back on, the rescue rocket could be used.

A fourth flight could avoid this risk entirely and thus do away with the need for a rescue ship for the rescue ship. The Apollo capsule could stay "powered up" for as long as possible. On Skylab-1, this lasted for 23 days as the overworked Apollo fed its own power into the temporarily crippled Skylab.

So a fourth mission could fly for three weeks or more without danger. Furthermore, it is possible that NASA, with the experience of "powering up" both Skylab-2 and Skylab-3, may decide that the safety measures in the new Apollo design are adequate to allow the extra mission to "power-down" and "power-up" without danger on a flight of eight weeks or longer.

Because the original three-flight schedule called for only a certain amount of food on board, the fourth crew of Skylab astronauts would need to take their own food up with them. The first three Skylab crews have had the luxury of a specially stocked food pantry, hot meals, and such culinary delights as lobster Newberg and ice cream sundaes.

A further Skylab crew would have to get by on the old Apollo wetpacks—nutritious but unappetizing meals packaged in plastic bags. The supply of water and oxygen would be more than adequate, as emergency reserves were included in the original design of the station.

A number of astronauts have been in training for Skylab missions for more than two years. Assigned to the backup crews, these men have been through the same program that prepared the nine astronauts who have already worked on Skylab.

Commander of the main backup crew is rookie civilian astronaut Vance Brand, 42. Brand, who also served on moon flight backup crews, has already been assigned to fly on the Apollo capsule which in 1975 will rendezvous and dock with a Russian space capsule. But he is remaining with the Skylab program until the last crew is safely back. If a rescue flight should be necessary, Brand would be the pilot.

His copilot on the backup crew is Don Lind, 43, a rookie astronaut with a Ph. D. in physics. The third member of the crew, William Lenoir, is a scientist-astronaut who joined the NASA program in 1967.

The Brand-Lind-Lenoir crew is ready for flight. Their rocket and capsule are paid for, and valuable experiments and rewarding tasks await them in space. A fourth Skylab visit is possible, feasible—and necessary. NASA must decide soon to begin the final preparations.

#### GLOOMY FOOD PROSPECTS

#### HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. TALCOTT. Mr. Speaker, a food shortage can be more calamitous than a

fuel shortage. A reduction or curtailment of food production in America could cause shortages, even famine.

This is not just my concern.

I insert a thoughtful, albeit gloomy, article by Roy Hitchcock, publisher of "Pacific Fruit News," an old and respected periodical serving the agriculture industry in California, entitled "A Gloomy Monday." I recommend its reading by every Member and consumer.

#### A GLOOMY MONDAY

Perhaps it's because it is Monday, or perhaps it is because the Thanksgiving holidays have come and gone and have left us in a sort of a mental backwash, but we feel anything but optimistic about the continuing availability of United States grown foods.

The idea that food in bountiful amounts will always be available has been taken for granted by Americans since the advent of the combine harvester which made it possible to harvest grains from large acreages and thus send a steady flow to the mills to feed a growing population.

Advances made by agriculture, the two-blades-of-grass-where-one-grew-before concept, through the years resulted in the most highly productive food production ever known to man. This was done in a period of less than 100 years and saw growers jumping from feeding themselves to several others to a point where one grower could feed 35 persons including himself.

However, this taken-for-granted cheap and abundant food supply was possible only under conditions that allowed those creating this food to do so as they believed it should be done. In other words, it was produced by experts in their field of endeavor; men who knew how to grow and process foods. They created the bountiful harvests—yes, and surpluses—under a free-enterprise system, unhampered by artificial restrictions on their efforts.

#### CHANGES UNDERWAY

Here, we believe there are signs that the abundant foods concept is changing, and changing rapidly. The American homemaker soon could find that the dwindling supplies will continue, and that her favorite foods or brands may not longer be available when she wants them, and prices for what is available will be much higher than even today's high prices. In other words, the days of abundant and selective food supplies may be all but over.

Many processors and growers have a feeling that the struggle to maintain this abundant flow of foods to the American table will not be possible under today's conditions. They point out that besides short supplies of needed manufacturing goods and raw products, interference by perhaps well-meaning but misguided organizations and government agencies, national programs that in their overall coverage hit the industry without realizing—or perhaps even caring—that they work hardships on the nation's food supply, causes grave concern regarding the ability to produce to meet demand.

#### FORMIDABLE LIST

The listing of problems facing the production of American food supply is indeed formidable. For example, some of them are:

1. The problem of production stemming from shortages of raw materials, even though these materials may be increased by more plantings, hinges on such uncontrollable situations as a world-wide growing demand for foods that out-strips present production.
2. The inability of the world's countries to meet this increasing demand.
3. The inflationary trends in other countries that make our foods seem cheap, and therefore desirable.
4. Shortages of rail cars and trucks, making transportation difficult. The energy crisis that could make this worse, and even cut down on production time in plants. Growers

face even more drastic cuts in lack of fuels to power farm equipment.

5. Competition encountered by processors for contracting with growers for foods for processing in the face of high-dollar crops such as wheat and soybeans.

6. Increasing costs of growing, harvesting and processing raw materials from farm to retailer.

#### SMALL SUPPLY/BIG DEMAND

The National Canners Association has pointed out that carryover supplies were the lowest in 20 years going into the 1973-74 year. This means that industries involved in producing processed foods are not only faced with short supplies, in a year of high demand, but unreasonable restrictions placed against food processors contemplating expansions, excludes the building of new facilities, even though justified and needed. The "overkill" in carrying out environmental programs is said to be responsible for this condition.

The NCA maintains that harvest must be increased 15 percent in fruits and seven percent in vegetables just to meet 1973 demands, let alone 1974's demands. Even with these increases, it is quite doubtful, we believe, that the nation would be in a position of being offered ample supplies of foods such as in 1969-70. The jump in the demand for foods on a world-wide basis, the short supplies of 1972 and 1973, and the inability of the industry to grow beyond current capacities will again place us in a short supply situation, and one that may continue for some time. Any increases in prices for foods will be offset by our constantly increasing costs, so that the margin of profits will remain at about the same level. As it is now, most members of the food industry, from grower to retailer, believe that the investment of capital and time warrant much more income and profit than is now being experienced. Some will undoubtedly find that this money could be put to better use, and will drop out of the food industry, causing still further shortages.

#### BILL KEATING

#### HON. WILLIAM H. HARSHA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 4, 1973

Mr. HARSHA. Mr. Speaker, the Congress will be losing one of its most dedicated and respected Members when BILL KEATING retires next January, and I am very saddened to have to bid farewell to my fellow colleague from Ohio.

I welcomed BILL's election to the House 3 years ago, believing he would prove a fine representative of Ohio's First District and a valuable addition to the membership of the Congress. In working with BILL on many occasions both on matters of interest to our neighboring districts and on issues of vital concern to the Nation during the past 3 years, I have found this belief to be on very, very solid ground.

In this short time, BILL KEATING has grown steadily in stature, not only because he has worked consistently and diligently to meet his congressional responsibilities, but also because he is a most remarkable individual whose integrity and fine character are valued by all who have come to know him.

BILL leaves the House to become the president and chief executive officer of one of Ohio's finest newspapers, the Cincinnati Enquirer. I can only say, Mr.



Speaker, that the Nation's loss of the services of a man of such high caliber and promise is the Enquirer's gain—we shall miss him. I join with my many colleagues who have been privileged to know BILL KEATING in extending my best wishes to him and his family in the years ahead.

#### AMERICAN INDUSTRY AIDS SOVIETS

### HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. ASHBROOK. Mr. Speaker, with the United States facing a serious energy shortage, you would expect that American equipment and supplies would be going to develop new oil and gas resources inside the United States. This assumption is logical, but it is wrong.

According to Leo Welt, who conceived and ran a recent trade show in Moscow, U.S. petroleum equipment and services suppliers already are on their way toward selling a billion dollars worth of such items for use in U.S.S.R. oil and gas activities. These items include many thousands of tons of pipeline coating sold by Kendall Polychem, \$42 million worth of crawler tractors by International Harvester for pipeline construction, and \$3.5 million for exploration items by Halliburton-Wellex and Dresser Industries.

Perhaps after we have finished developing the Soviet economy we can then turn to our own needs.

The following is the complete text of the December 4 article in the Oil Daily, along with an accompanying article from the December 8 edition of the Washington Post:

#### UNITED STATES ENJOYS BRISK SOVIET TRADE

NEW YORK.—Business done so far indicates there is considerable opportunity for U.S. oil and gas equipment suppliers to the Soviet Union.

So noted Leo G. B. Welt, president, Welt International Management Service, at Oil Daily's Russian energy conference here Monday.

Welt, who conceived and ran the recent big Nefta-Gaz trade show in Moscow, stated that U.S. petroleum equipment and services suppliers already are on their way toward selling a billion dollars worth of such items for use in USSR oil and gas activities.

#### BIG CONTRACTS AWARDED

As examples, he cited the many thousands of tons of pipeline coating sold by Kendall Polychem, \$42 million worth of crawler tractors by International Harvester for pipeline construction, and \$3.5 million for exploration items by Halliburton-Wellex and Dresser Industries.

According to Welt, the Soviets are in the market for a wide variety of energy related systems and products. But, he related, a good deal of attention at present is on exploration, drilling and production.

Welt confided this tip: If you can assist offshore or arctic oil and gas production, the USSR should be a profitable area in which to venture.

#### NEED FOR IMPORTED VALVES

Welt revealed that the Soviets displayed a very decided favoritism toward imported valves. Thus, he noted, Cameron Iron has

an \$80 million order for ball valves; Reeder Pump and Byron Jackson are supplying 500 submersible pumps, Wallworth has a \$20 million valve order, and FMC Lucate is providing Christmas tree valves.

Other USSR oil and gas business cited by Welt: Otis Engineering, 200 well completions; Camco's \$14 million for well completion and gathering items; Koomsey-Steuart-Stevenson's \$2.5 million for antiblowout controls; and I-H Solar's pact to supply gas turbines and compressors.

Welt emphasized that much more equipment will be necessary for Soviet oil and gas production to meet a near-term goal of 9.92 million barrels per day.

"Consider that the daily average rate for the current five-year plan (1971-76) is only 2.74 million b/d," Welt explained.

#### SOVIET TRADE PACT

Moscow.—Armco Steel Corp. announced today it has signed a five-year, scientific and technical exchange protocol with the Soviet Union.

Armco, a subsidiary of U.S. Steel, said the protocol provides for trade in the ferrous metallurgy field and offshore oil field equipment projects. Company officials said no trade figures have yet been discussed.

#### IN OPPOSITION TO THE DENNIS SUBSTITUTE TO H.R. 11401

### HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. HUNGATE. Mr. Speaker, I oppose the substitute offered by the gentleman from Indiana and I urge my colleagues to oppose it too.

Based upon an unjustified fear that H.R. 11401 is unconstitutional, the substitute provides for a Special Prosecutor who cannot be completely independent—the investigated must not appoint the investigator; the prosecuted must not appoint the prosecutor. The fox must not guard the chicken coop.

There may be some superficial appeal to the argument that court appointment of a prosecutor is unsound. But a study of the Constitution and the precedents make it clear that court appointment is not only constitutionally permissible but the only practical way to accomplish the result we all seek.

The plain fact is that no piece of legislation is ever totally free from constitutional question. This has been so since Moses descended with the tablets. This substitute, for example, is open to constitutional question. At our hearings, Acting Attorney General Bork, himself, questioned whether Congress can validly vest the appointment in the Attorney General with the advice and consent of the Senate. This is what the substitute provides for successor prosecutors.

Article II, section 2, clause 2 of the Constitution provides that certain officers—Ambassadors, Public Ministers, Consuls, and Supreme Court Justices—shall be appointed by the President by and with the advice and consent of the Senate. That clause goes on:

... but the Congress may by Law vest the Appointment of such inferior Officers,

as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

It is clear that the Special Prosecutor is an inferior officer. If he were not, the substitute could not vest his appointment in the Attorney General.

Congress is clearly given wide latitude to choose where to vest the appointment of inferior officers. The Supreme Court has underscored this in the case of *ex parte Siebold*, involving court appointments of election officials pursuant to statute, 100 U.S. 371, 397-98 (1879). The Supreme Court said:

It is contended that no power can be conferred upon the courts of the United States to appoint officers whose duties are not connected with the judicial department of the government.

The court answered the contention as follows:

It is no doubt usual and proper to vest the appointment of inferior officers in that department of the government, executive or judicial, or in that particular executive department to which the duties of such officers appertain. But there is no absolute requirement to this effect in the Constitution; and, if there were, it would be difficult in many cases to determine to which department an office properly belonged ... [A]s the Constitution stands, the selection of the appointing power, as between the functionaries named [that is, the President alone, the courts of law, and heads of departments], is a matter resting in the discretion of Congress.

In *Siebold* the court flatly stated "but the duty to appoint inferior officers, when required thereto by law, is a constitutional duty of the courts." This is clear and unequivocal.

It is not extraordinary to have judges appoint prosecutors. Federal district court judges are empowered by statute to fill vacancies in the office of U.S. attorney. This practice has been held constitutional in *United States v. Solomon*, 216 F. Supp. 835 (S.D.N.Y. 1963). Federal district courts are also empowered by statute to fill vacancies in the office of U.S. marshal. Beyond this, Federal judges are by statute empowered to, and regularly appoint, attorneys to represent defendants in criminal cases in their courts. Similarly, Federal courts are empowered to, and do appoint, special prosecutors to handle criminal contempt of court cases before them. In none of these instances has it been held that the making of the appointment is unconstitutional or deprives the courts of their neutrality. And, this is so even where the court making the appointment has before it the matter in which the appointee is to act.

The proponents of the substitute allege that H.R. 11401 may violate the separation of powers doctrine. Not only is this unfounded, but the reverse is true.

The separation of powers doctrine is not specifically provided for in the Constitution, but it is generally considered to be one of the premises upon which our system of government rests. The doctrine does not call for the complete separation of the three branches of Government, however, but calls for the sharing of power, a blending of power, so as to avoid concentrating too much power in

one branch. Thus, each branch has powers that overlap powers of the other branches. For example, the Congress legislates, but the President can veto. The courts adjudicate, generally, but the Senate adjudicates in impeachment proceedings. There are many more instances of this blending of powers. The Constitution explicitly authorizes Congress to vest the appointment of inferior officers in courts of law, and as previously pointed out, the exercise of this authority has already been sustained when attacked.

The proponents of the substitute claim that the prosecutorial function is an exclusively executive function which cannot be taken from the executive branch. They rely on the language of article II, section 3 of the Constitution which provides that the President "shall take care that the laws be faithfully executed."

This language in article II, section 3 does not grant a power to the President; rather, it imposes a duty. To quote Prof. Edward S. Corwin:

Certainly a duty to see that the laws be faithfully executed cannot by ordinary principles of construction afford an independent restriction on the power by virtue of which the laws needing to be executed are enacted. The language of duty rather than of power was employed advisedly in this clause of the Constitution; since by other clauses powers which are obviously essential to successful enforcement of the law are assigned to Congress. No one would contend that the President could appropriate money, or erect courts, or create offices, or enlarge the military forces, on the justification that such action was necessary in order to assure the enforcement of the laws. . . . Nor should it be overlooked in this connection that the clause requiring the President to "take care that the laws be faithfully executed" was taken almost verbatim from the New York constitution of 1777, which none the less gave the executive of that state very little voice in either appointments or removals. (E. S. Corwin, "Tenure of Office and Removal Power Under the Constitution," 27 Columbia L. Rev. 354, 384-85 (1927)).

Mr. Justice Oliver Wendell Holmes put it succinctly when he wrote:

The duty of the President to see that the laws be executed is a duty that does not go beyond the laws or require him to achieve more than Congress sees fit to leave within his power. (Dissenting in *Myers v. United States*, 272 U.S. 52, 177.)

The prosecutorial function in Anglo-American law has never been an exclusively executive branch function. At the time the Constitution was adopted, private citizens, both here and in England, could prosecute criminal charges. The First Congress, which included many of the framers of the Constitution, provided for private prosecution—see act of September 24, 1789, section 35, 1 Stat. 92; act of April 30, 1790, section 16, 1 Stat. 116; L. White, "The Federalists," 415-16 (1948).

Another constitutional predicate for the committee bill is article II, section 8, clause 18, which gives Congress the power—

To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

In testifying before the Senate Judiciary Committee on November 7, Prof. Philip B. Kurland, an outstanding constitutional law professor at the University of Chicago Law School, said:

The "necessary and proper clause" could alone sustain the appointment provision of this bill. But whether or not the "necessary and proper clause" by itself would provide constitutional justification, taken together with the language of Article II, Section 2, it certainly affords all of the constitutional warrant necessary. . . . The Constitution has become sufficiently amorphous so that there is no legislation which is not subject to constitutional challenge. And I would submit that you stand on as strong ground here as on most of the legislation this body enacts.

If ever it has been "necessary and proper" for the courts to appoint a Special Prosecutor, Watergate and its related matters pose such a situation. We can conjecture about a potential constitutional question incident to such an appointment, but there can be no doubt about the conflict of interest situation which inheres in an executive branch appointment.

If the American people are to have confidence in the end result—particularly if it should be exoneration—the Special Prosecutor must not be beholden to the President or to the Attorney General for his job.

Neither can we permit a situation in which the funding of the Office of the Special Prosecutor is through, and dependent on, the Department of Justice and the Executive Office of the President.

I, for one, cannot believe the Constitution denies to the Congress the power to preserve the integrity of our criminal justice system—even more, of our institutions of Government and our political leadership. Neither did a constitutional law professor, Prof. Paul M. Mator of the Harvard Law School who, incidentally, was a witness before our subcommittee called by the minority, by those who support the substitute. Professor Mator said "there is powerful and, ultimately, persuasive support in the law for the position that Congress has the constitutional authority" to provide for the court appointment of a Special Prosecutor.

As recently as Sunday, December 2, in a letter to the editor of the Washington Post, Acting Attorney General Bork continued to maintain the right of the President to place limitations on the independence of Special Prosecutor Jaworski, and even to discharge him, as an executive branch appointee.

If the Special Prosecutor is to be truly independent in fact and in appearance, and if he is to be as aggressive and forthright as he must, we have no choice but to vote nay on the Dennis substitute.

#### THE MOVE OF THE SAN DIEGO PADRES TO THE NATION'S CAPITAL

HON. WILLIAM M. KETCHUM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. KETCHUM. Mr. Speaker, the news of the proposed move of the San Diego

Padres baseball team to Washington, D.C., has been greeted with cheers here in the Capital. But perhaps there would be less joy if it was known how much this move was going to cost the American taxpayer.

As I pointed out several months ago, the terms of the proposed lease to be granted the Padres are very generous. They would provide the baseball team far more than the Washington Redskins enjoy, indeed, far more than many teams receive from other cities. In October, I wrote to the District of Columbia Armory Board, which runs R.F.K. Stadium, inquiring as to the exact terms of the lease. As of today, I have received no reply.

It appears that someone is going to have to pay the city of San Diego damages for breaking the Padres lease, which still has 15 years to run. Perhaps this sum will come from the municipal funds of the District. This means, in effect, that the American taxpayer is financing the move, in a disgraceful and cavalier waste of Federal money. Perhaps the District of Columbia Armory Board will cover damages from the sale of tickets. This money should be used to pay the interest on the debt at R.F.K. Stadium, which after all was built with Federal funds. Whichever way one looks at it, the move of the Padres is a boondoggle of the first order. Mayor Pete Wilson of San Diego has issued a fine statement concerning this move which I offer to my colleagues for their study:

#### STATEMENT BY MAYOR PETE WILSON REGARDING THE PADRES

The action of the National League club owners at best represents a surrender to political extortion and at worse a modern version of "the public be damned." The City of San Diego will wage war against the League on both the legal and political fronts to keep our baseball team in San Diego.

The National League club owners enjoy profits from a business which they operate in expensive stadia built at heavy public expense to provide their teams a place in which to play. In short, the citizens of cities which provide these expensive playing facilities are providing a hefty subsidy to the business of baseball. And now the club owners, who enjoy the profits from that business, are thumbing their nose at the citizens of San Diego who have taxed themselves to provide that subsidy.

This is not the first time professional baseball and specifically the National League has sanctioned the piracy of a franchise after the citizens of the host city have saddled themselves with the tax burden of a stadium in expectation of enjoying professional baseball into the indefinite future. I am sure the people of Milwaukee remember well the departure of the Braves.

San Diego is determined to assure that the last of such piracy has occurred and that the citizens of San Diego will not be added to the list of victims.

Adding insult to injury to the citizens of San Diego is the fact that their federal income tax dollars are to be used to subsidize the piracy of their baseball team from San Diego stadium which they subsidize as local taxpayers. The terms of the lease offered to the Danzansky group for the use of R.F.K. Stadium constitutes such a giveaway that no other city can or should in good conscience offer anything like it. Only Washington—where professional baseball has failed abysmally twice in the recent past—can offer such a sweetheart deal because it is being



subsidized by federal income tax dollars paid by taxpayers in other cities.

How and why is this possible? Because the U.S. Congress as watch-dog of the public purse has decided that subsidizing the piracy of the San Diego Padres is an urgent national priority warranting the expenditure of federal taxpayers' dollars. The real answer is to be found in the flagrant threats made on the floor of the House by Congressmen who have all but promised anti-trust legislation against professional baseball if Commissioner Bowie Kuhn did not bring a team to perform in R.F.K. stadium for the enjoyment of Congressional baseball fans.

We will fight this piracy of the Padres both in the courts and in the halls of Congress. When we announced our legal action we made it clear to the National League that our filing suit was not a threat but a promise. Prior to the League meeting in Houston we had publicly directed the City Attorney to pursue a second suit against the League based on an anti-trust cause of action.

Also the League's brazen disregard of the rights of U.S. taxpayers and particularly those in the City of San Diego will revive I am sure the interest of several Congressmen in reviewing the terms of the lease on R.F.K. stadium offered to the Danzansky group by the Armory Board.

#### GOV. GORDON BROWNING

#### HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. JONES of Tennessee. Mr. Speaker, I would like to take this opportunity to pay respectful tribute to former Gov. Gordon Browning of Tennessee, who celebrated his 84th birthday on November 20. Governor Browning is Tennessee's only living former Governor, and dean of the Democratic Party leaders in the State of Tennessee. Governor Browning was honored at a birthday party given at the Carroll-Lake Country Club near McKenzie, Tenn. I served with Governor Browning's administration as commissioner of agriculture and consider him to be one of the greatest influences in my career in politics. Governor Browning's integrity, conviction, and love of his home State of Tennessee make him one of our greatest Governors. The newspaper article that follows is a wonderful salute to Tennessee's "Mr. Democrat":

Gov. GORDON BROWNING

"I know my country is entitled to a better image than it has today. It's up to us to change that image . . .

"With a little common sense, there's no reason the Democratic party cannot regain its former stature in Tennessee."

Thus says Former-Gov. Gordon Browning, celebrating his 84th birthday, and speaking as "Mr. Democrat" of Tennessee, dean of the Democratic party leaders.

It was my privilege to attend the big birthday party given the state's only living ex-governor at the Carroll Lake Country Club near McKenzie, sponsored by the Carroll County Historical Society, and to be amazed again at the clarity of mind, energy and drive of one of the greatest of our governors.

#### FAST DETERMINATION

Each such occasion is usually termed "The Last Hurrah" for the former governor, but year by year, his vast determination and desire to continue serving brings him back.

Odds are he'll be around to celebrate several more birthdays, help several more Democratic candidates for major offices, and continue to add to his reputation as one of Tennessee's best known political figures.

He has outlived most of his official family who served with him in 1937-39, and 1949-53 terms. Three of those surviving cabinet members honored him at his birthday party, namely U.S. Rep. Ed Jones of Yorkville, Dr. J. H. Barksdale, retired president of Bethel College of McKenzie, and Judge John Klizer of Milan.

Two potential candidates for governor, Former Rep. Ray Blanton of Adamsville and House Speaker Ned McWherter of Dresden paid their tribute to the ex-governor. Blanton recalled that Browning was the first prominent political supporter to endorse his candidacy for Congress, and had been his loyal supporter since.

#### LOYALTY, COMPASSION

Blanton praised Browning for his "loyalty and compassion" for people, his "courage and conviction" in his actions, and his "honesty and integrity" as a public servant, a man blessed with the "ability and energy" to accomplish the things he set out to do.

Seventh District Rep. Ed Jones, who was the youngest man to ever hold the office of Commissioner of Agriculture, and one of the state's youngest cabinet officials praised Browning as the "guiding light for all my public career. His six years as governor stand as among the greatest in the state's history."

Gov. Winfield Dunn sent a lengthy message of good wishes and regrets at his inability to attend because of his hosting the Republican Governor's Conference in Memphis.

Secretary of State Joe C. Carr presented the former governor with a giant wooden plaque of the Great Seal of the State of Tennessee, which will go to the Browning Memorial room in the McKenzie library. Speaker McWherter presented several legislative reproductions and photos also for the Browning Memorial.

Other notables honoring the governor were Judge A. T. (Tip) Taylor of Jackson, himself a former candidate for governor; Jim Alexander, former state treasurer and industrial coordinator for the state; Mayor Hugh Scarbrough of McKenzie, Judge Jim England, and former County Judge George Thomas of Dresden, as well as a number of Carroll County officials and some 300 friends and admirers from Carroll County and other areas in West Tennessee.

Mrs. Julian Devault, president of the Carroll County Historical Society, whose leadership and organization are responsible for the great Memorial Room in the McKenzie Library and chief organizer for the birthday celebration, sat with Governor Browning and presented him with the giant birthday card signed by all the guests, and with a wrist watch as a token of appreciation from those present.

Mrs. William Bowers of Milan, niece of the former governor, daughter of his only sister, characterized Browning not only as a "great governor" but the "greatest Uncle," beloved by his family.

The evening's chief speaker: Ex-Gov. Gordon Browning.

Parkinson's disease has taken its severe toll through the years, but he was helped to his feet by ever-caring Lt. Jerry Kemp, of the State Highway Patrol, and in a sometimes quavery voice, kept his audience laughing or cheering for almost 30 minutes.

Through all his adversities, Browning has not lost his sense of humor, his style of campaigning, the jokes and timely stories with which he . . .

"I'm not as old as I look," Browning introduced his remarks, and his speech bore him out.

"Somebody asked me today: 'how about

running for governor?'. My reply was a firm 'No' . . . I'm afraid I might be elected." . . . and you almost believed it might be possible again.

Governor Browning offers strong disproof of the adage that "A prophet is not without honour, save in his own country".

He is honored in his own country, his own county, his own home town and his own neighborhood.

Highway markers proclaim Huntingdon the "Home Town of Former-Gov. Gordon Browning." His fellow citizens honor him on many occasions.

As is often the case, there's a strong rivalry between Huntingdon and McKenzie in Carroll county. McKenzie seized the initiative in memorializing Browning and founded the Browning Memorial room in the library. Huntingdon had plans for a room memorializing Browning also, but somehow it lost the . . .

Consequently, the McKenzie library has the bulk of the Browning papers, his mementoes of two wars, his political history, and the records to which historians will long turn for reference.

Perhaps there's a reason Carroll County is fundamentally Republican, including Huntingdon. McKenzie is Democratic and naturally feels more possessive about "Mr. Democrat".

Carroll county has furnished two governors. The other was Alvin Hawkins, a Republican, (1881-83). His picture hangs in the foyer of the Browning Memorial Room, but little memorabilia has been found to add to the library's memorial.

In conclusion, let's predict Gordon Browning will probably have a choice in the Democratic primaries for governor in 1974, but whoever wins in that primary will have Gordon Browning in their corner in November. He wouldn't know how to drag his feet, nor would he have ever "scratched" a Democratic ticket.

Mr. Democrat! We Salute.

#### ENERGY CRISIS

#### HON. GENE TAYLOR

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. TAYLOR of Missouri. Mr. Speaker, in the months that follow, a great deal of effort will be needed to promote public cooperation with our national energy conservation measures.

The assistance from the news media in my district to create better public awareness and cooperation with these emergency conservation efforts has been very encouraging. Two editorials recently aired by KODE-TV and radio in Joplin, Mo., and KGBX Radio in Springfield, Mo., serves as good examples of the positive activities that are being displayed by the news media in southwest Missouri. I am pleased to offer these editorial comments for consideration by my colleagues.

[Editorial from KODE-TV & AM]

ENERGY CRISIS

(Air date, Nov. 12, 13, 14, 1973)

As a nation accustomed to things plentiful and admittedly over-indulgent in our use of natural resources, the day for eliminating waste has finally dawned. Perhaps this is a good thing, since we should have been conserving our resources anyway.

It has been a foible of the American mind to believe in endless ribbons of neon lights,

lights burning in unused places, gasoline wasted by needless idling trucks and cars, and overheated and overcooled rooms. We trust that these and other similar practices will be discontinued and that citizens in the four-state area will lead the way by following the eminently sensible recommendations of President Nixon that will aid in conserving energy supplies. Recommendations that include setting thermostats at 68-degrees, replacing faulty weather-stripping on windows and doors, reducing heating in unoccupied areas, and one suggestion that is not only safe, but practical as well, reducing driving speeds to 50-miles per-hour. Motorists just might be amazed at all the scenery they have been missing.

KODE also agrees that the extension of Daylight Savings Time throughout the year would be an additional measure to conserve energy.

We firmly believe that citizens in the four-state area should follow the President's recommendations in an effort to eliminate waste and conserve dwindling energy supplies.

KODE-TV offers the use of its facilities to a bonafide representative of a valid opposing point-of-view. A written request for time to respond to the views stated in this pre-recorded editorial should be mailed to KODE-TV, Channel 12, Joplin, Missouri, 64801.

[Editorial From KGBX]

COOLNESS IN CRISIS

(By Don Daily, vice president)

Right now we need leadership at every level of government that will forge a national policy for using our energy resources in the most economical manner possible. But that policy must be based on hard facts, not guesswork or bureaucratic mumbo, jumbo, but definitive information.

The French author Jean Francois Revel has written that "the ability to change to meet changing circumstances exists in America to a greater extent than in any other country." We think he's right. But to change our habits in the use of energy we must have facts on energy. The American public needs to know what our normal consumption of gasoline is per month? Who uses it? How much does government use? How much does industry use? How much does the general public use? What is our reserve situation? What priorities are needed to handle emergency vehicles, police, fire, Army, Navy and Air Force? How long will it be before new supplies can be developed? We think the American people deserve answers to such questions . . . facts that can be relied upon. There will be abuses, but we feel the great majority of industries and the majority of people will respond to voluntary restrictions if they are given the true picture of the energy shortage.

Many people tend to waste and squander in direct proportion to supply. "Use it up . . . burn it up . . . there's more where that came from," has become a way of life for many Americans. But Americans can be frugal too. Americans have more money in savings accounts than any people. We can learn to save gasoline and fuel oil too. The American Petroleum Institute says we have a 30 day supply of gasoline on hand and that the crisis point is a 29 day supply.

They also say we have a 58 day supply of light fuel oil for home heating and diesel fuel and that the crisis point is a 28 day supply. The heavy fuel oil supply is reported to be 18 days on hand and 13 days is the crisis point. Thus, gasoline stocks are closest to the crisis point. We can pool our use of private cars, even to the extent of out of town trips simply by checking with friends in advance when out of town trips are necessary. Salesmen for various companies could travel together. (It was done during World War II). Kids can walk to school more and leave those cars at home. Count the number of cars on the high school parking lots and you would

be astonished. Most of these drivers could use some exercise. The rest of us? Car pools, busses, bicycles and walking are all options we have and the exercise from bikes and walking could give many of us a new lease on life!

But delay is damaging. The public needs to know now what's expected. KGBX believes the voluntary response to this crisis might amaze even Washington. We believe voluntary limits on gasoline should certainly be tried before mandatory restrictions are enacted. Director of the Budget Roy Ash estimates rationing of gasoline would cost the government one hundred million dollars a year to run! That's reason enough, in our opinion, to act cool in this crisis. Industry can find many ways to cut fuel costs, many already have.

There are still several signs on the horizon that could herald a year of stability and growth in America next year. But we have delayed too long. We need calculated, program solutions now. Remove the uncertainty. Act! That's what government should do at all levels.

We have great confidence in the American people. They're the most intelligent in the world and we think they will respond in this energy crisis, given completely accurate data and common sense programs.

TAIWAN, STILL OUR FRIEND AND ALLY

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. BIAGGI. Mr. Speaker, I have been deeply disturbed by recent news reports that indicate a U.S. policy of neglect toward our friend and ally, Taiwan. There is little concealment of this administration's fascination with the Communists, be they Soviet or Chinese. The current State Department philosophy is hellbent on getting full diplomatic status for Red China, a move that can only be accomplished after all ties with National China are broken.

What, though, has this country gained from such close friendship with the Reds? World peace? Hardly. Better trading advantages? Definitely not. All we seem to be doing is putting ourselves further and further in an isolated corner of weakness and defenselessness.

We negotiated a peace agreement in Vietnam that sees continued fighting and killing. But our supposedly good friends, the Red Chinese, assured Dr. Kissinger that they would keep the peace there. They have done nothing. North Vietnam continues to wage war, continues to infiltrate the South with its regiments, continues to wreak havoc on local communities.

President Nixon points to his close personal relationship with Soviet leader Brezhnev as the key to keeping peace in the Middle East and preventing nuclear war between the superpowers. Yet, there is no peace there after the taking of many lives, and we are suffering an energy crisis because of the Arab oil blackmail.

This Soviet friendship also has led us down the primrose path of military unpreparedness. Through the Strategic Arms Limitation Treaty, through the mutual armed force reduction talks,

we are weakening our defense posture, while the Soviet Union is strengthening theirs. Now we find that they may have even introduced nuclear weapons in the Middle East.

While the Soviet Union and the People's Republic of China were at odds, the United States enjoyed a temporary advantage. By dexterously playing upon the differences between the two, we developed our own relationship with each of them. Conversely, during this period both of these Communist countries carried U.S. favor. It seemed all too good. That rosy picture has diminished somewhat now though. China and the U.S.S.R. are in the process of rapprochement which once again places the United States back in the world of reality and puts in jeopardy that oh so fleeting advantage.

The Communist doctrine has as its central purpose world domination. Any means can be justified in attaining this goal. It is clear to me that President Nixon is unwittingly working hand-in-hand with the Communists to help them attain their long sought after prize. When Krushchey pounded his desk in a fit of anger at the United Nations and said "We will bury you," he meant it. This policy has not changed with the new faces at the Kremlin.

We must recommit ourselves to the support of those valiant small nations holding out against the power of Communist domination. Israel, in the Middle East, continues to fight the battle of freedom and democracy, waging war against the vast array of its Arab enemies who are fully equipped and supplied by the Soviet Union.

Taiwan, in Asia, continues to stand out against the threat of takeover by mainland Red Chinese, in its never-ending fight for restoration of democracy and the rights of the individual for all Chinese peoples. Taiwan has been abandoned by many who feel it is more advantageous to be friendly with the Red Chinese. Many of our so-called allies have dropped relations with Taiwan in exchange for relations with Peking. I do not want to see that ever happen here in the United States. We must continue to maintain a firm commitment to that embattled nation and its valiant leader Chiang Kai-shek. They deserve our support as they always have in the past, and now even more so.

Mr. Speaker, I urge my colleagues in this body to join me in keeping a watchful eye on the present administration to guard against any moves that will lead to a betrayal of our close friend and ally, Nationalist China. Let us keep our national commitment to freedom throughout the world.

AMERICAN OPINION ON WORLD POVERTY AND DEVELOPMENT

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. BINGHAM. Mr. Speaker, the Overseas Development Council has recently



completed a comprehensive survey of American attitudes toward the problems of poor countries and programs designed to help them. The overall impact of the survey is that the American people are far more sympathetic to these problems and far more favorably disposed to development programs than has been generally supposed.

The following is a summary of the survey, prepared by the Overseas Development Council:

**WORLD POVERTY AND DEVELOPMENT: A SURVEY OF AMERICAN OPINION**

Contrary to the popular impression that Americans are turning inward, a recent comprehensive survey indicates that the public is concerned about the problems of the poor countries and is willing to support programs which assist in their development. This public concern is strong, despite widespread misperceptions concerning the relative burden of U.S. development assistance—compared to that of other countries—and its economic benefits. It is based primarily on moral and humanitarian reasons, rather than on an outdated cold war rationale or a sense that many of the low-income countries may be of increasing importance to the United States. The results also indicate that when Americans realize that they will need the cooperation of the poor countries in solving many of our common problems, this already strong sympathy can be more directly translated into effective public support for new policies aimed at helping the poor countries.

These are the central conclusions of *World Poverty and Development: A Survey of American Opinion*, an analysis by Paul A. Laudicina of the results of a nationwide survey sponsored by the Overseas Development Council and the U.S. Coalition for Development. The survey—which reflects public opinion about our relationships with the three quarters of the world's people who live in developing countries—is of particular interest in view of Secretary of State Kissinger's call for a new foreign policy consensus.

The survey, based on one-hour interviews with a representative sample of Americans, provides the first in-depth look at American attitudes on government as well as public commitment to global development, U.S. foreign aid and trade policy, budget priorities, and a range of other issues concerning world poverty and development. The survey was conducted by Peter D. Hart Associates, Inc. The interviews consisted primarily of open-ended questions and generally avoided the pro-con, either-or, and multiple choice forms of questioning.

Thus the results provide a fuller picture than earlier surveys of:

- (1) What Americans know about world poverty and development;
- (2) What kinds of policies toward developing countries they oppose and what kinds they are willing to support; and
- (3) How they relate their domestic and international concerns.

The survey analyzes views not only by age and education, but also by income, political orientation, race, union membership, and religious affiliation.

**U.S. Policy Implications.** The survey analysis finds that the American public clearly has not become isolationist and that Americans do not desire to withdraw from active participation in the outside world. The survey shows that although Americans lack even a basic understanding of the problems of poverty and misery that face three quarters of the world's population on a daily basis, they express a strong degree of sympathy for the problems of the poor countries. Moreover, they show a willingness to change their opinion toward greater responsiveness

to these problems when provided with relevant information.

This central finding highlights the importance of national leadership on development issues. Whether in the legislative or executive branch, policy makers have a great deal of latitude to advocate and carry out policies that are genuinely responsive to the needs of the poor countries—without suffering on election day. In most cases, such policies are likely to engender little opposition and, with the proper leadership, could even gain a substantial degree of positive public support. However, it is also clear that active and widespread support will not simply materialize out of the latent sympathy of Americans to the problems of the poor abroad. It can only be gained if the policies and programs reflect their concerns and if steps are taken both inside and outside the government to inform and mobilize public opinion. For instance, many Americans would support aid programs which they saw as efficient and effective and aimed at the problems of those most in need.

The analysis recognizes that there are caveats to these conclusions. For example, the survey indicates that in the public's view domestic concerns will continue to take priority. This is in marked contrast to the 1950s and early 1960s, when foreign affairs seemed to dominate American opinion. Support will lag for large-scale programs aimed at alleviating international poverty as long as there is no meaningful attack on serious domestic, economic and social problems. There is a strong feeling that the poor abroad should not be helped at the expense of the poor at home. Therefore, those who favor more positive policies toward the developing countries must insure that domestic social problems are being seriously addressed at the same time. It is also important that the public be provided with more accurate information on world poverty and our own country's long-term economic and political stake in global development. The survey results indicate that Americans already support more favorable policies toward the poor countries; when they realize that these policies may also be in their self-interest, this support is likely to become considerably stronger.

However, on certain issues, the views of small but articulate minorities will be important. Trade is one conspicuous example. More liberal trade policies toward poor countries are currently being vigorously opposed by a substantial segment of the American labor leadership. However, the survey indicates that the American people as a whole do not share this view.

The highlights of the analysis of the survey results are summarized in the paragraphs that follow. (The survey questionnaire and the raw data collected are printed in the study as annexes.)

**Sympathy for the Needs of the Poor Countries.** Measured by responses to several carefully selected survey questions, more than a third of the American public (38 per cent) is basically sympathetic to the needs of the poor countries and supportive of a stronger U.S. commitment to global development. A fourth (25 per cent) is unsympathetic. Another third of the public (37 per cent) is ambivalent, but not negatively predisposed.

**Who Cares about Global Development?** The survey indicates that those Americans who support development tend to be relatively younger, better-educated, upper-income, and politically moderate to liberal. The 37 per cent who are unsure but not negative represent all levels of American society. But regardless of income or education, greater percentages of young Americans between the ages of 18 and 25, and of blacks, are sympathetic about the development needs of the

poor countries and favor the United States helping these countries.

**The Question of Domestic and Global Priorities.** Americans give the solution of domestic problems priority over the solution of international problems, but at the same time they regard world hunger and poverty as very serious problems deserving "top priority" attention. The public does not appear predisposed to see these objectives as conflicting, but always gives priority to domestic over international poverty needs when asked to assign first place to one or the other. Americans show more optimism about the short-run feasibility of alleviating U.S. poverty than poverty abroad. They also feel a more direct responsibility for dealing with domestic poverty. But many Americans are unaware of the true dimensions of world poverty and, when provided with more facts, tend to favor allocating a greater proportion of the budget for overseas poverty programs than they did before having the facts.

**Lack of Public Knowledge about U.S. Foreign Assistance.** Not only do most Americans fail to grasp the immensity and nature of the problems of world poverty and the prospects for solutions to those problems, but they have an inflated idea of how much the United States today spends on foreign development assistance, erroneously believing that the United States is actually spending both far more than it is on foreign assistance and more in terms of relative wealth than are other rich nations. The responses to all questions on U.S. foreign assistance should be seen in the light of these major misperceptions.

**Decline of the Cold War Rationale for U.S. Foreign Assistance.** The survey indicates that cold war considerations, which were the major rationale for providing assistance to the poor countries in the 1950s and 1960s, have lost much of their credibility. The reasons for giving U.S. foreign development assistance that were enumerated by those interviewed were overwhelmingly humanitarian and moral. The survey results show that as of the fall of 1972 (when the survey was conducted) the increasing evidence of U.S. economic interdependence with other countries had made almost no impression on the public as a rationale for assisting global development.

**Increasing Support for U.S. Foreign Development Assistance.** Despite this lack of knowledge and the decline of the cold war rationale for U.S. assistance, more than two thirds (68 per cent) of the public supports the principle of the United States providing foreign assistance to the poor countries, with only 28 per cent opposed. The fact that public support for the idea of furnishing foreign assistance does not directly translate into support for U.S. official aid programs is due partly to the public's view that U.S. voluntary assistance—which has increased 60 per cent over the past decade—is a more reliable assistance channel than U.S. government aid. Although the American public knows little about aid programs, it believes that too much U.S. official aid is wasted in our own bureaucracy, and that U.S. aid does not get to those who need it most in the poor countries. Americans also question the integrity of some recipient governments in handling aid funds. Despite these reservations, 49 per cent of the public (a majority of those expressing views on the question) is willing to either maintain or increase the foreign economic assistance budget.

**Opposition to U.S. Foreign Military Assistance.** The survey results show that a majority (52 per cent) of Americans favor cutting the foreign military assistance budget, and one of every two people regards the U.S. provision of military training and equipment as an ineffective and unacceptable form of foreign aid.

*Strong Public Preference for Assistance Aimed at Basic Development Needs.* The study shows that Americans do not regard aid as a political tool. The public believes that those countries most in need of U.S. economic assistance should be favored in the allocation of such assistance. Public support is strongest for direct, visible programs aimed at alleviating such basic human problems as hunger and malnutrition, disease, and illiteracy. The public also appears to expect such forms of assistance to do more to strengthen the self-sufficiency of the recipient countries.

*Trade and Domestic Adjustment Assistance.* The main reason that Americans gave for favoring freer trade with the poor countries was that trade helps the development of these countries. Two out of three Americans would favor a more liberal U.S. trade policy with underdeveloped countries if workers adversely affected by imports were protected against financial loss and retrained for as good or better jobs. Union households were no more protectionist on trade issues than non-union households. Strong public support therefore is possible on specific issues where the interests of developing countries are not regarded as conflicting with domestic needs.

*Responsiveness of Public Opinion to New Information.* The survey results show that unawareness and misinformation account for some of the negative opinion and for a large share of the uncommitted opinion on U.S. assistance to the poor countries. For example, when respondents learned that 95 percent of the world's poor live outside the United States, they were willing to allocate more for overseas poverty programs than they were before having been made aware of this fact.

*Public Opinion on Importance and Credibility of Various Sources of Information on World Poverty and Development.* The survey results show that Americans—both those informed and uninformed on poverty and development issues—consider television the single most important source of information on world problems. Newspapers, radio, school, books, and magazines were rated next in importance and reliability among the thirteen information sources that respondents were asked to rank in terms of these two criteria. The churches, pamphlets and newsletters, and special meetings ranked lowest on the list.

#### FERDIE DEERING'S VISION COMMENDABLE

#### HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. FINDLEY. Mr. Speaker, as a rural newspaper editor, I have the highest regard for one of my fellow farm journalists, Mr. Ferdie Deering, who is well-known as editor of the *Farm-Stockman* magazine and for his regular column which appears in the daily *Oklahoman* in Oklahoma City.

The recent announcement by the U.S. Department of Agriculture establishing U.S. Agricultural service centers at the local level throughout the country in order to provide one-stop service to farmers, ranchers, and rural residents makes Ferdie Deering look like a genuine prophet. In 1945 in a book entitled "USDA—Manager of American Agriculture," Mr. Deering recommended doing exactly what the Department of Agriculture now proposes to do with the establishment of these service centers.

As explained by Secretary of Agriculture Earl L. Butz, these centers will bring together at one location the services of the Agricultural Stabilization and Conservation Service, Farmers Home Administration, Soil Conservation Service, and Federal Crop Insurance Corporation. These four agencies together have some 7,800 local offices throughout the country. While most of these county-level offices are located near one another—and sometimes in the same building—a farmer has to run from one place to another to do business with the U.S. Department of Agriculture.

When Ferdie Deering looked into this problem in 1945, here is what he said:

Local representatives of USDA should have no option except to work together to serve the farmers. These local functions should be grouped under a single administrative officer in the county, who would be responsible to the farmer committee. Thus the workers would have time to serve the farmer instead of spending most of their time administering. All offices should be grouped at a central location, so that farmers will not have to visit five or six places to transact their business with government farm agencies.

Elsewhere in the same book Mr. Deering also said:

When representatives of these various offices go to see the farmer on his farm, one to advise him on one phase, one to discuss another, and then he has to go to town to a couple of different offices to see about something else, all in the USDA operations, the farmer is apt to say: "To heck with it all. I'll just go along and do the best I can as I have been doing."

As far back as 1945, interviews with people who used the services of the Department of Agriculture indicated that the majority of them felt "that USDA is too complicated, too confusing, and too clumsy in its present organization. They would like to see it continue its needed services to the farmer but work in a manner that will minimize duplication of effort, and overlapping of authority and eliminate unnecessary functions and controls."

In that book Mr. Deering pointed out that a report had been prepared by the USDA Office of Plant and Operations with the help of State and county agricultural interest from 36 States. This report said that in a great majority of our 3,074 counties there were representatives of from 4 to 12 of the agencies of the U.S. Department of Agriculture.

The report said that available space was generally inadequate and unsuitable and that offices of the several agencies were usually widely separated and all too frequently poorly housed in basements of public buildings or in lofts over grocery stores or garages.

Now some of this has been corrected. In 1951 Secretary Brannan initiated a move to bring together the offices of the old Production and Marketing Administration and the Soil Conservation Service. Eleven years later in 1962 the Secretary of Agriculture issued a memorandum calling for co-location of county offices. As a result some co-location was achieved in 54 percent of the counties where USDA has offices. This new program to establish service centers is a revitalization of that same program but

this time gave it national implementation and support.

Mr. Deering in his book of 1945 said that a center of the type proposed in this latest program—

Would do more than any other one thing to consolidate the efforts of the Department in a unified working program. It would provide the farmer a center for information and service that would mean greatly increased farmer participation in all agricultural programs.

These thoughts were put together by a man who thoroughly believes in the U.S. Department of Agriculture. In fact, he stated elsewhere in his book:

I believe in the work of all these agencies and think their work should be carried on. I do not like to see some evidences of petty jealousies and do not like lost motion and extra expense due to lack of co-ordination of effort.

These prophetic words have provided the Department of Agriculture with good direction for its present program. The Secretary of Agriculture has announced that State administrative committees composed of the heads of these four agencies will develop plans for each State to establish these agricultural service centers at the local level. Their aim is just what Mr. Deering envisioned, to provide better service to farmers and people in rural America. There is no sinister effort to wipe out jobs and services. The program is just what Mr. Deering recommended 28 years ago. I understand that the chairman of the House Committee on Agriculture has been trying to get something like this done for 30 years and I think it is time that something is done.

I commend Mr. Deering's book and his vision to all Members of this body.

#### OUR NEW VICE PRESIDENT

#### HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. RUPPE. Mr. Speaker, last Thursday's confirmation of GERALD R. FORD as Vice President was not only a great day for the Vice President's home State of Michigan, but for the entire Nation as well. The *Evening News of Sault Ste. Marie, Mich.*, has noted this fact with a most perceptive editorial about the strengths which GERALD FORD brings with him to the Office of the Vice-Presidency. I would like to share The *Evening News* editorial with my colleagues today:

#### OUR NEW VICE PRESIDENT

Today Gerald R. Ford will be sworn in as vice president of the United States. This is a historic occasion. Importantly, it is one that could give some renewed strength to our belief in the integrity and effectiveness of our government.

During the past two years we have seen two candidates for our second highest elective office be less than open with the public, let alone with their own political associates.

For the first time in the history of the country we will have a vice president who has experienced a grueling examination of his qualifications and fitness to hold that



office. These examinations have taken place in open meetings of the authorized committees of the United States Senate and House. They have taken place after weeks of presumed detailed investigation by various agencies of the federal government.

Gerry Ford responded openly to all questions, methodically, thoughtfully and with tolerance.

At the same time during the past weeks, a series of events have occurred which will affect all of our lives for years. If these had not been receiving first attention in the news, probably we would all have been much more aware of the steadiness and candid qualities of Gerald Ford during the time of his personal examination. Certainly, if any serious questions had arisen regarding his character or actions, the public would have been fully and dramatically apprised of such a development.

Yet it is the mounting events that in turn make so many people feel that a Gerald Ford is urgently needed in our highest levels of government. Almost without exception members of both houses of Congress placed great emphasis on Ford's personal integrity.

Naturally, not all people agree with his philosophical views. Yet there seems to be a genuine recognition that first we need a man of integrity as vice president. We seem to feel that we need a man who is steady and not easily excited and who can look at major governmental matters with a broad view. We seem to need a man who is not glib, not necessarily glamorous, but rather one who is concerned about people and the future of our nation.

Gerald R. Ford seems to be the right man at the right time, approved and supported by his peers.

#### IN MEMORY OF GEORGE COLLINS

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. RANGEL. Mr. Speaker, it was just 1 year ago this past weekend that we, in the House, lost a dear friend and colleague, George W. Collins in a tragic plane crash.

The year that has gone by has not lessened the deep feeling of loss which has remained with those of us who knew George well. We miss his quiet counsel, his calm, well-reasoned advice and the strength of his courage.

George was important to many of us who came to know him during his short period in the House, but he was especially important to the members of the Congressional Black Caucus.

In the black caucus, where George worked diligently and with dedication, we came to rely upon his leadership on many issues. A man who was close to the people we all are committed to serve. George had an instinct for the people of the Seventh Congressional District of Illinois that never seemed to fail him in the exercise of his good judgment. Nothing symbolizes George's commitment to the people more than the Christmas party to which he was returning when he died. This party for the underprivileged children of his community was important to George Collins, because he was doing something directly for people. Nothing gave him more pleasure than that.

In the year since his passing, we in the House have been blessed by the election of his charming and lovely wife, Congresswoman CARLISSE COLLINS, to fill his vacant seat. Her great abilities and her effectiveness revealed in the few short months she has been with us show that the spirit of George Collins' dedicated service to the people of the Seventh Congressional District of Illinois lives through the work of Mrs. COLLINS, his partner and successor.

#### "MURDER BY HANDGUN: THE CASE FOR GUN CONTROL"—NO. 55

### HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. HARRINGTON. Mr. Speaker, statistics indicate that an increasing number of homicides are being committed with handguns. Today, I am inserting an article from the November 29, 1973, issue of the Baltimore Sun, describing the killing of a Maryland shoe repairman during a robbery. It seems to me that if we had effective Federal gun control laws, fatalities stemming from such robberies would decrease.

The article is included below:

#### SHOE REPAIRMAN IS SLAIN IN WEST BALTIMORE SHOP

An elderly shoe repairman was shot to death yesterday afternoon during a robbery in the West Baltimore shop he had owned for 32 years.

According to police, 69-year-old Roy Schmuck already had given a bag of money to two young bandits when they opened fire and shot him five times.

Mr. Schmuck was rushed to Lutheran Hospital after the 1:40 P.M. shooting and doctors failed to save him, but he was pronounced dead at 5:10 P.M.

Officials said he had been shot three times in the right chest, and in the back of the neck and head.

Before learning Mr. Schmuck had been fatally wounded, his wife, Marie, 63, told a reporter: "At the age he was, he didn't want to get out of the neighborhood."

Mrs. Schmuck and her husband had owned the shop for 32 years, from the time the neighborhood was occupied entirely by white families through the period of complete racial transition.

The victim's brother, 67-year-old William Schmuck witnessed the robbery and shooting. He told police the bandits were "boys," and described them as black and wearing ski masks. Both carried guns, he said.

The brother told police the bandits walked into the store brandishing handguns at 1:40 P.M. and demanded money from the elder Mr. Schmuck.

The victim turned around, handed them a bag of money and the bandits "just opened fire," a police spokesman said.

Then, in an apparent moment of panic, the bandits dropped the bag of money and fled. Police said the money was recovered, but they were unable to provide the amount immediately.

Police said they are investigating similarities to the robbery-shooting of a shoe repairman in the 2200 block West Pratt street—about 2 miles away—a month ago.

That victim, Thomas A. Belluono, 63, was shot while in a rear apartment by one bandit while an accomplice rifled the cash register. Mr. Belluono survived the shooting.

Last night, Mrs. Schmuck said her hus-

band "must have had a horseshoe somewhere to have lived so long. They broke into his place at least six times. They threw rocks in, exploded bombs," she said.

Mrs. Schmuck's brother, Henry Hagey, said the shop owner had several chances to move his business—at Edmondson avenue and Mount Holly street—elsewhere, but "he was used to that neighborhood and dealing with those people. It's a shame to take a man's life for a few pennies."

Mrs. Schmuck said her husband "had the goodwill of the colored people. Now that his eyes are closed, I'll never know who owes him money."

She said her husband of 26 years had taken over his father's shoe-repairing business at the age of 16, and had operated the shop at its current location for the last 33 years. Now, she said, the store will be sold.

"People are scared to come into the neighborhood," Mrs. Schmuck said, "What is this country coming to?"

#### NAT BURING

### HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. JONES of Tennessee. Mr. Speaker, on December 3, 1973, Mr. Nat Buring, founder on the "King Cotton" brand, and of the Nat Buring Packing Co., in Memphis, Tenn., received the 1973 Junior Achievement Master of Free Enterprise Award. The award was presented at a banquet at the Sheraton-Peabody Hotel, and is given annually to the Memphian whose career shows successful and exceptional achievement in the realm of free enterprise. The following newspaper article pays tribute to Nat Buring, a charitable and enterprising man:

NAT BURING

(By Susan Adler Thorp)

Nat Buring who rose from peddling meat from a panel truck to owning a multi-million dollar meat packing industry, will receive the 1973 Junior Achievement Master of Free Enterprise Award.

The award, to be presented during a Junior Achievement banquet Dec. 3 at the Sheraton-Peabody Hotel, is given annually to the Memphian whose career exemplifies successful achievement in the free enterprise business system.

Buring, chairman of the Nat Buring Packing Co., will become the eighth recipient of the award given only by the JA Memphis chapter.

Born Dec. 31, 1912, in North Memphis, Buring is the son of European immigrants who came to America seeking freedom and opportunity. As a youth, he worked for his father in the family grocery at Court and Orleans before dropping out of school and opening his own business—a small grocery at Kansas and Iowa.

Two years later, Buring worked a short time for another grocer before he bought an old panel truck, borrowed \$50 and became a meat peddler.

In 1933, after he married the late Sylvia Stark Buring, he worked as a shipping clerk for Abraham Brothers Packing Co. Within a few months, he returned to his panel truck.

He is a board member of St. Jude Children's Research Hospital and a member of: Future Memphis, Inc.; the President's Island Association; the Jewish Community Center; National Independent Meat Packers Association; United Cerebral Palsy; the Highland

Hundred; and Anshel Sphard-Beth El Emeth Congregation. In 1970, Buring and his wife received an award from the Israel government for their "significant contributions to the State of Israel."

Members of the committee which selected Buring are Mayor Wyeth Chandler; Charles Brakenfield, WREC-TV; Charles Schneider, editor of The Press-Scimitar; James Merkle, president of Union Planters National Bank and president of the Memphis Area Chamber of Commerce; Dr. John W. Richardson, Jr., former acting president of Memphis State; Dr. A. Roy Tyrer, Jr.; Jack L. Elliott, president of Junior Achievement Inc., of Memphis; Byron B. Winsett, Winsett-Simmonds Engineers; Maj. Gen. William Fondren, retired; Jack Belz, Belz Enterprises; and R. E. Stockdale, Humko Products.

#### JAWORSKI WINS OVER SKEPTICS AS WORTHY COX SUCCESSOR

#### HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. HOGAN. Mr. Speaker, in the near future my colleagues and I will be asked to consider H.R. 11401, calling for the appointment of a court-appointed Prosecutor to handle Watergate and related matters.

H.R. 11401, as reported out of the Judiciary Committee, contains serious constitutional risks. Our colleagues should be aware that if this legislation is passed as it stands now, and is subsequently found to be unconstitutional, all indictments and convictions of defendants would be invalidated.

If this legislation is passed it would place "incompatible duties" upon those responsible for upholding justice. The main goal seems to be the appointment of an independent prosecutor, and the discrepancy arises as to whether he be "court-appointed" or "Executive-appointed." I feel strongly that Congress has it within its powers to provide a solution for the discrepancy and simultaneously give the Prosecutor the independence he should have.

Many have questioned whether an Executive-appointed Prosecutor can pursue his duties with complete independence. I believe the following article explains and illustrates how the current Special Prosecutor, even though appointed by the administration, is fulfilling his responsibilities with more independence than the former Prosecutor, Archibald Cox.

I urge my colleagues to read the dissenting views in the report and the following article which appeared in the Baltimore News American on November 26 to illustrate that it would be counter-productive to establish a new court-appointed Prosecutor:

JAWORSKI WINS OVER SKEPTICS AS WORTHY COX SUCCESSOR

WASHINGTON.—A big difference between Archibald Cox and Leon Jaworski is the difference between a constitutional lawyer and a prosecutor. And many lawyers on the special Watergate prosecutor's staff, who had been deeply suspicious of Jaworski, have come to like that difference.

But still unanswered is whether it will lead Jaworski into the same sort of confrontation with the White House that led to the firing of Cox.

"I want such tapes as are material and I intend to get them," Jaworski told the Senate Judiciary Committee, which is considering a bill that would cloud his status by establishing a court-appointed special prosecutor.

"I may move a little faster than some people would," Jaworski told the committee.

He was sworn in as special prosecutor Nov. 5 and two days later sent the White House a formal request for still another tape of a presidential conversation.

Jaworski's readiness to move quickly to obtain more evidence impressed staff lawyers accustomed to Cox tendency to agonize over fine legal points that might prove more significant to the Supreme Court than to a federal grand jury.

"Archibald was always looking ahead to the appeals," one staff member said. "Jaworski has more a prosecutor's mentality."

The favorable impression Jaworski has made on his staff and on Congress appears to have undercut chances for passage of a court-appointed prosecutor bill.

So far, the White House has given the new prosecutor far more promises of cooperation than Cox ever received. Gone are the claims of executive privilege and the need to maintain the confidentiality of presidential discussions with aides.

But it has only been promises, so far. Neither Jaworski nor U.S. District Court Judge John J. Sirica has received any of the documents or tapes Cox went to court to obtain.

When Cox, after two court decisions upholding his right to obtain White House tapes, defied a presidential order to halt his efforts, President Nixon fired him on Oct. 20.

The dismissal left Cox's staff stunned and embittered but determined to stay intact, if possible, and continue its investigations.

The White House too was stunned by the public outcry at Cox's dismissal. Within a week, the President agreed to give Sirica the tapes Cox had subpoenaed and to permit Acting Atty. Gen. Robert H. Bork to name a new special prosecutor.

Bork's choice of Jaworski, head of a huge Houston, Tex., law firm and a former president of the American Bar Association, was greeted skeptically by the staff Cox had recruited. They viewed Jaworski as likely to compromise rather than risk confrontation with the President.

Cox was one of the first to tell his former staff that Jaworski might turn out to be a very good choice. The former prosecutor told a member of his staff that he had been very impressed by Jaworski when the Texas lawyer handled the prosecution of Gov. Ross Barnett of Mississippi during the Kennedy administration. Cox was then U.S. solicitor general.

#### RAILSBACK AMENDMENT TO INDEPENDENT SPECIAL PROSECUTOR LEGISLATION

#### HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. RAILSBACK. Mr. Speaker, I intend to introduce the following amendment to the substitute bill which Mr. DENNIS will submit to H.R. 11410, the Independent Special Prosecutor bill:

The Special Prosecutor shall report at least monthly to the chairman and ranking minor-

ity member of the House Judiciary Committee such information as may be pertinent to the question of whether impeachable offenses have been committed by the President of the United States. The Special Prosecutor, upon request by the House Judiciary Committee, shall provide to the chairman and the ranking minority member of the committee such information, documents, and other evidence as may be necessary to enable the committee to conduct an investigation or inquiry into whether grounds exist for impeachment of the President of the United States.

#### THE OCTOBER ALERT

#### HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mrs. SCHROEDER. Mr. Speaker, the New York Times of November 21, and the Washington Post of November 28 and November 29 provide us with valuable background on the October "eyeball to eyeball" confrontation between this Government and the Soviet Union regarding events in the Middle East. That confrontation resulted in a so-called "Defense Condition 3" alert of U.S. strategic and conventional forces throughout the world. The alert and the circumstances surrounding it have been subjects of concern and confusion to many Americans who refuse to shut their eyes to the duplicity and ineptitude of the Nixon administration simply because it has not yet managed to blunder us into World War III.

Specific questions regarding the alert would include: When was it called? By whom? Why? Was it necessary? And, have we been told the truth about it?

Attempts to answer these questions must begin with the official version of the story. At his press conference of Friday, October 26, President Nixon offered the following explanation:

A very significant and potentially explosive crisis developed on Wednesday of this week. We obtained information which led us to believe that the Soviet Union was planning to send a very substantial force into the Mideast—a military force. When I received that information, I ordered, shortly after midnight on Thursday morning, an alert for all American forces around the world.

Mr. Nixon went on to tell us:

It was a real crisis. It was the most difficult crisis we've had since the Cuban confrontation in 1962.

Of the message from the Soviet's Communist Party Chairman, Leonid Brezhnev that triggered the alert, Mr. Nixon said,

it was very firm and left little to the imagination as to what he intended.

At a State Department press conference the preceding day, Secretary Kissinger offered a version of the incident that differed in significant detail from that of the President. According to Secretary Kissinger, the alert followed a special meeting of the National Security Council which Mr. Nixon did not attend, and occurred about 3 a.m., Thursday, October 25, not "shortly after midnight."



Secretary Kissinger, moreover, described Soviet conduct at the time as an "ambiguity," repeatedly denied that the two powers were in a confrontation situation, and insisted that despite the alert—

We are not talking about threats that have been made against one another. We are not talking of a missile crisis-type situation.

At a press conference of his own on Friday morning, October 26, Defense Secretary James Schlesinger suggested that the United States and the Soviet Union had been "very far away from a confrontation situation." Contrary to what President Nixon would claim hours later, Secretary Schlesinger further described the so-called National Security Council meeting as "abbreviated," and indicated that the alert had been called at about 10:30 p.m. on October 24.

So, from the President and his two top Cabinet officers—both, incidentally, known for the precision of thought and clarity of utterance—we have three different versions of the facts. The investigative reports of the New York Times and Washington Post provide us with a fourth and, presumably, the correct account of what went on. The true facts do much to debunk the myth that so long as Mr. Nixon is in the White House, a firm hand is at the helm. In fact, during the worst hours of the putative crisis, Mr. Nixon's hand was hardly at the helm at all, let alone firm. The Washington Post further informs us that there was no National Security Council meeting at all on the evening of October 24-25, a fact verified by the White House's own records. Also provided are excerpts of the Brezhnev dispatch in order that we may make our own judgments concerning the severity of the most difficult crisis we have had since the Cuban confrontation of 1962.

From the two newspaper accounts, it is clear that whatever "confrontation" occurred on the night of October 24-25 took place within the context of urgent Soviet desires to bring the Middle Eastern war between the Egyptians and Israelis to an immediate halt. Soviet Premier Kosygin had been in Cairo a week earlier and had seen the deteriorating condition of the Egyptian Army and the grave threat to the elite Third Egyptian Corps trapped in and around Suez City. Upon his return to Moscow, the Soviets urgently requested a visit from Secretary Kissinger. Mr. Kissinger arrived in Moscow on October 20, and, during the next 2 days, he and Chairman Brezhnev reached agreement on a number of measures to defuse the situation. These included: First, an immediate in-place cease fire in the area; second, negotiations among the combatants; and third, a final agreement based upon implementation of Security Council Resolution 242 passed in September 1967, which called upon the Israelis to withdraw from "territories occupied" during the six-day war.

According to the New York Times, during a stopover in Tel Aviv en route home from Moscow, Secretary Kissinger secured the consent of the Israelis to a preliminary accord embodying the above provisions. That understanding also became the basis of a joint United States-

Soviet resolution adopted by the U.N. Security Council early on Monday, October 22.

The resolution, however, failed to end the Middle Eastern fighting. The Israeli advance on the west bank of the Suez Canal continued. The Egyptian 3d Army Corps was quickly threatened with total annihilation.

It is against this background that the events of Wednesday evening, October 24, and Thursday morning, October 25, must be considered. The New York Times reports that as Secretary Kissinger learned of the new Israeli advances, he felt "great dismay and a sense of betrayal." It is reasonable to assume that Soviet feelings along the same lines were no less intense. The Soviets dispatched a message demanding not only a second Security Council Resolution, but also the introduction of a joint United States-Soviet "expeditionary force" into the area to police the terms of the agreement. This was unacceptable to the United States because it would for the first time in history introduce large numbers of Russian troops into the area while simultaneously legitimizing their presence.

A second, more urgent dispatch arrived from Chairman Brezhnev at approximately 10:40 p.m. on the night of October 24. The Washington Post, which claims to have obtained a copy of that note, quotes Mr. Brezhnev as follows: "I will set it straight," that if the United States does not find it possible to act together "with us in this matter, we should be faced urgently to consider the question of taking urgent steps unilaterally."

It was this dispatch, which no reasonable reading can deem a threat to send a very substantial military force into the area, that triggered the U.S. alert. As far as concrete Soviet actions are concerned, the New York Times account indicates that our officials knew that seven Soviet landing craft and two ships with troop helicopters had been "milling around" in the Eastern Mediterranean during the crisis, and that some 49,000 Soviet airborne troops had been placed on "stand-by alert," a routine matter that had occurred first when the fighting broke out on October 6. According to the New York Times, these Soviet activities had "caused no undue alarm at the Defense Department." At no time during this "crisis", Mr. Speaker, were the Soviets placed on nuclear alert, not even after such an alert was issued for American forces. According to the New York Times, the American alert was issued just after receipt of the second Brezhnev message and implemented at about 2:30 a.m. on the morning of October 25.

It should also be noted that early that same morning our Government was in urgent touch with the Israelis and that the fighting stopped shortly thereafter. Later in the day, the Soviets were back in the U.N. Security Council, cooperating with us on yet another key measure, the dispatch of a U.N. expeditionary force to the Mideast with the participation of Soviet and American civilians as observers only. It is reasonable to assume that the silencing of Israeli guns had far more

to do with encouraging continued Soviet cooperation than did the bravado and derring-do of the previous evening. And, speaking of derring-do Mr. Speaker, by all accounts, the President, who only hours later would be boasting of his toughness and coolness under pressure, remained in his White House living quarters throughout the episode, delegating all responsibility to his Cabinet chiefs, never once appearing in the situation room where all key meetings were held. Apparently heeding Harry Truman's advice:

If you can't stand the heat, stay out of the kitchen.

Mr. Nixon stayed out of the kitchen. Tough messages from the Soviet Union are not uncommon during crises. The Soviets sent tough messages in the waning moments of the Cuban missile crisis and a tough message on the last day of the 1967 Six-Day War. In each case, this Government followed a conciliatory approach, ignoring the abrasive language, concentrating instead on measures to reduce the conflict to manageable proportions. Here the action taken by our Government was—I believe correctly—termed "hysterical" by the Soviets. I refer not only to the alert itself—that was bad enough—but to the overblown rhetoric of both the President and the Secretary of State. It was Secretary Kissinger, after all, who first invoked the specter of nuclear catastrophe at his Thursday press conference, and who somehow seemed to link Soviet conduct to the failure of this country's press to back off on Watergate. Secretary Kissinger warned:

One cannot have crises of authority in a society for a period of months without paying a price somewhere along the line.

Later he added:

It is up to you ladies and gentlemen to determine whether this is the moment you try to create a crisis of confidence in the field of foreign relations as well.

As has so often been the case, this administration continues to blame the messenger when the news is not to its liking.

Mr. Speaker, this has been a year when both the executive and legislative branches have been asserting rights each claims itself entitled to. At times, I believe we have tended to forget that the American people have certain rights too—even in the arcane areas of foreign policy and national defense.

The American people have the right to know that the interests of their leaders will always run to averting international crises and not to contriving or exaggerating international crises.

The American people have the right to know that international problems when they occur will be viewed by their leaders in the context of the national well-being and not as opportunities for exhibition of one individual's personal fortitude or political virility.

And, the American people have the right to know that once the crisis has passed, the all clear signal will be rung with the same vigor and clarity as was the initial alert.

Mr. Speaker, the American people

have not been provided with that sort of leadership from their government of late. And we all hope but are beginning to doubt the administration of President Nixon has either the ability or the will to provide it for them. We want to place our trust and confidence in our President. But as the days grow shorter so has our ability to trust. As the nights grow darker, so has our light of confidence.

#### REVENUE SHARING

### HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. DON H. CLAUSEN. Mr. Speaker, the Congress enacted the general revenue sharing program slightly more than a year ago to provide additional financial resources and responsibilities to State and local governments.

I strongly support the program and its "no-strings" concept which permits greater freedom of action by local governments thereby increasing their flexibility and opportunity to meet special local needs. I hope this same conceptual approach will be extended to more areas of existing Federal programs.

Recently I received an unsolicited letter from one unit of local government in my district commenting on the impact revenue sharing has within its jurisdiction. I have already forwarded a copy of it to the distinguished gentleman from North Carolina (Mr. FOUNTAIN), chairman of the Subcommittee on Intergovernmental Relations, but it occurred to me that it should be shared with the entire membership of the House.

Therefore, I am submitting it for publication at this point in the RECORD.

The statement follows:

COUNTY OF MENDOCINO  
ADMINISTRATIVE OFFICE,  
Ukiah, Calif., October 30, 1973.

Hon. DON CLAUSEN,  
Congressman First District, House Office  
Building, Washington, D.C.

DEAR DON: As an outcome of our first year's experience with Revenue Sharing, I thought you might find it of value to have a report from a rural County, such as Mendocino, to show what we have used Revenue Sharing funds for and why the General Revenue Sharing program does serve an important and practical need to local government.

I have seen substantial criticism that local governments have not utilized Revenue Sharing for people services, but have tended to utilize funds for construction and fixed assets. Also, there has been some complaint that tax relief has not been provided.

I am proud to indicate that the Mendocino County Board of Supervisors has utilized their initiative to provide Revenue Sharing funds, not only for needed County governmental requirements, but also has extended its share of funds to fire districts to extend better fire protection to our rural areas, to water districts to assist in badly needed sewer and water projects which were deprived of more direct federal funding, and to private social agencies to assist Senior Citizen projects, retarded children projects, environmental recycling projects, Indian health projects and related programs. Finally, Revenue Sharing funds were able to permit a

property tax reduction in this County, which is the second year of such reduction.

We believe this type of expenditure, as outlined on the attached list, to be the type of expenditure which the Congress intended for Revenue Sharing monies, which is basically a combination of effort to meet various public needs, both governmental and citizen related. There has been some question as to the propriety of some of our expenditures under the state Constitution, but it is our intent to proceed with expenditures, based on our own legal advice, as being within the intent of the funds.

I hope that you will concur in this utilization and will continue to support the concept of general Revenue Sharing in the future. If you need further information on these programs, please let us know.

Sincerely,

ALBERT P. BELTRAMI,  
County Administrator.

#### TAX RELIEF FOR HOMEOWNERS

### HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. PRICE of Texas. Mr. Speaker, last July I introduced legislation to provide tax relief to American homeowners designed to alleviate some of the crushing tax burden already upon them. This proposal addresses itself to the tax problems of our Nation's homeowners as I believe they are overburdened by the combined weight of local, State, and Federal taxes. Thus, in an effort to ease these taxes, I have proposed that the Internal Revenue Code be altered in certain areas as it applies to people who own and reside in their own homes.

Today, I am reintroducing this bill with an additional provision aimed at encouraging homeowners and businessmen to improve the level of insulation in their homes and businesses. This new section will enable the Secretary of the Treasury to allow a Federal income tax deduction based on costs of purchase and installation of improved insulative materials.

For weeks the President, Members of Congress and other governmental officials have been asking the American people to voluntarily endure a number of hardships in connection with the energy shortage. I firmly believe that the time has come for our constituents to receive some type of incentive for fuel conservation. If we are to be fully effective in keeping consumption within the boundaries of current supply, we are going to have to offer some actual financial incentives, at least in some areas.

A recent issue of U.S. News & World Report reported that approximately 17.9 percent of all U.S. energy is used for heating homes and offices. This statistic came from a report of the Chase Manhattan Bank. Of this 17.9 percent, the House Energy Subcommittee estimates that over 40 percent is lost due to poor insulation. The solution to this problem is obvious, we should insulate homes and offices more efficiently. However, the cost involved might be too much for some citizens to bear right now.

Since better building insulation is now in the best interests of us all as we combat the energy shortage. I am today introducing a bill which will provide for a tax deduction for the cost involved in improving or installing, in a home or business establishment, efficient insulative materials. My bill will, if enacted, provide a reasonable incentive to encourage more individuals to take a positive step toward conserving home and building heat.

The Congress has already taken steps to increase our future energy supply. The Alaskan pipeline has been authorized, additional funds have been appropriated for energy research and development and legislation has been enacted requiring the President to allocate petroleum products so that no regional shortages develop unnecessarily.

In addition to the legislation that has passed, over the past 7 years, I, and a number of my colleague, have been trying to alert the Congress to the need for providing the incentives necessary to develop increased domestic energy supplies. I have sponsored legislation to de-regulate the well head price of natural gas, to provide tax credits to encourage exploration of new domestic oil reserves, and others. Perhaps, had the Congress approved such legislation years ago, our domestic supply would be adequate today. However, the only way we can get through this winter, and perhaps many winters to come, is to carry out extensive conservation measures.

Therefore, if approximately 40 percent of heating or cooling energy fuel is lost through poor insulation, such an occurrence is certainly not conservation. We cannot be unrealistic and expect the American people to buy and install expensive materials just for the purpose of conserving fuel, consequently, a tax deduction is the only feasible method I can see for establishing a needed conservation practice.

I urge my colleagues in the House to act quickly and favorably on this legislation.

#### A NEW PEANUT PROGRAM

### HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. STUCKEY. Mr. Speaker, the Department of Agriculture has made six administrative changes in the 1974 peanut program which will be disastrous for the State of Georgia—the Nation's leading peanut producer.

One change will eliminate transfers by lease, sale, or owner privileges now permitted for acreage allotments, resulting in reduced peanut acreage. The number of acres a man can grow peanuts on today is determined on an historical basis: The amount of his peanut acreage three decades ago. With the amount and cost of equipment needed today to farm peanuts, if a man only has a small acreage allotment, it is not worthwhile for him to grow peanuts. But if he has a



neighbor with a sizable allotment who cannot use it, and if he is able to lease, buy or use that man's allotment, then he can earn himself a living. So, in effect, the elimination of allotment transfers will wipe out many of the 25,000 peanut farmers in the State of Georgia.

Another change eliminates the tolerance allowance for complying with the Federal allotment program. If a farmer is more than .9 an acre off on his measurements, he will have to pay a marketing penalty equal to 75 percent of the support price.

These and other changes being made are grossly unfair to the peanut farmer. They are far more drastic than I think anyone expected, were devised without any consultation with growers or Congress and the motive for the changes is highly questionable.

In announcing the changes, Secretary of Agriculture Earl Butz said they were aimed at reducing the program's cost. However, Mr. Butz has also been quoted as predicting that the changes will cause a buildup of Government-owned peanut stocks and dramatize the cost of the program to the Federal Government. The Department is revising its sales policy to provide a minimum resale level of 115 percent of the Federal loan rate, deliberately putting their prices higher than the market price.

Peanut farmers are clearly being used as pawns in a game to pressure Congress to legislate a new peanut program.

I think we all would like to see the peanut program cost the Federal Government as little as possible, but some Government assistance is necessary today in order to assure a farmer an adequate price for his crop and the consumer a fair price for the product in the marketplace. If changes are to be made, the way to do it is for Agriculture Department officials, House and Senate Agriculture Committee members and grower representatives to sit down and work out a program that will not put the burden on any one group but will consider the needs of growers, consumers, and the Government alike. The present changes are going to hurt the peanut farmer terribly, cause higher prices for the consumer and cost the Government even more money.

I would like to briefly summarize what the peanut industry means to the State of Georgia.

Economists estimate the overall economic activity generated by the peanut industry in Georgia at over \$1 billion. Peanuts are Georgia's number one commodity with a crop value of more than \$228 million in 1972.

But peanut growers are not the only ones who profit from peanuts in Georgia. The entire State benefits from purchases made by peanut growers. Each year Georgia peanut growers spend an estimated \$7 million for fertilizer, lime, and gypsum, \$10 million for seed, and \$16 million for materials to control weeds, diseases, and insects.

Tractor and machinery costs for producing peanuts in Georgia exceed \$17 million. Much of the machinery necessary for peanut production is manufactured in the State. Each year \$10 million

is spent for cleaning, drying, storing, and marketing.

There are approximately 30 firms in Georgia that store and shell peanuts. Transportation, storage, processing, and merchandising of Georgia's peanut crop provides livelihood for thousands of families far removed from the farms on which this important crop is grown.

Obviously there is little doubt that the economy of the entire State of Georgia is going to suffer unless the Department of Agriculture is willing to compromise on their changes for the 1974 peanut program.

#### FIRST DISTRICT QUESTIONNAIRE

#### HON. EDWARD MEZVINSKY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. MEZVINSKY. Mr. Speaker, recently I mailed a questionnaire to the residents of the First Congressional District of Iowa asking my constituents to give me their views on 15 varied issues.

During the past weeks, we have been busy going over their responses. I am pleased to report that approximately 20,000 completed questionnaire forms were returned to my office.

In addition to the readily apparent value of this type of public input, this questionnaire provided a catalyst for hundreds of First District residents to go beyond the limits of the printed form. As the questionnaire responses were returned, I was pleased by the substantial number of letters which were included—either expanding on specific questions or detailing the writer's thoughts on separate issues.

I deeply appreciate the interest shown in the questionnaire and was happy to hear from so many First District residents. I would like to share with you the results:

#### FIRST DISTRICT QUESTIONNAIRE

(1) Congress is considering health care legislation. Do you favor the creation of some type of national health insurance program to assure that all citizens have access to and can afford health care?

	Percent
Yes .....	65
No .....	28
No opinion .....	7

I also asked those in favor of the creation of a national health insurance program to suggest a means to finance such a program. A plurality suggested the use of a taxing system similar to that used to finance Social Security. A substantial number of respondents, however, looked to Congress to close tax loopholes as a means to raise the money needed to pay for such a health program. Another highly popular suggestion was that Congress readjust its budget priorities to give health care a top priority. The military sector of the budget was mentioned almost exclusively as the area where cuts should be made in order to be able to finance a health program.

(2) Each year, many workers lose their pension rights when they change their jobs or when their employers go out of business. Would you favor legislation creating safeguards protecting such retirement benefits?

	Percent
Yes .....	85
No .....	11
No opinion .....	4

(3) Would you favor new legislation providing increased funding for housing programs for senior citizens?

	Percent
Yes .....	65
No .....	27
No opinion .....	8

(4) Should the U.S. expand trade with the Soviet Union?

	Percent
Yes .....	58
No .....	33
No opinion .....	9

I should add here that many of those who favor such an expansion of trade added the warning that care should be taken to avoid problems such as those arising out of last year's massive grain sales to the Soviet Union.

(5) Should the U.S. expand trade with the People's Republic of China?

	Percent
Yes .....	59
No .....	31
No opinion .....	10

(6) Do you favor export controls on farm products?

	Percent
Yes .....	57
No .....	32
No opinion .....	11

(7) The Watergate hearings have generated many suggestions as to how to prevent future abuses of our political system and to limit the influence of money on our electoral process. Would you favor:

(a) Strict limitations on political contributions?

	Percent
Yes .....	85
No .....	12
No opinion .....	3

(b) A limit on the time candidates may campaign?

	Percent
Yes .....	71
No .....	24
No opinion .....	5

(c) Public financing of elections?

	Percent
Yes .....	46
No .....	46
No opinion .....	8

(d) A single six year term for President?

	Percent
Yes .....	27
No .....	65
No opinion .....	8

(8) Would you favor legislation:

(a) Imposing strict mandatory penalties for anyone convicted of a crime which involved the use of a firearm?

	Percent
Yes .....	77
No .....	18
No opinion .....	5

(b) Requiring nationwide owner registration of firearms?

	Percent
Yes .....	57
No .....	39
No opinion .....	4

(c) Outlawing the sale of so-called Saturday night specials?

	Percent
Yes .....	74
No .....	17
No opinion .....	9

(9) Would you favor legislation requiring grain exporters to disclose information on foreign sales as an attempt to avoid problems such as those arising from last year's Russian wheat deal?

Percent  
Yes ..... 86  
No ..... 7  
No opinion ..... 7

(10) A primary task for Congress is setting priorities for our tax dollars. Do you think we should spend more, less, or about the same for:

[In percent]

	More	Less	About the same
Health care.....	63	11	26
Education.....	56	13	31
Defense.....	9	67	24
Foreign aid.....	5	78	17
Law enforcement.....	50	14	36
Space exploration.....	14	57	29
Housing.....	42	26	32
Mass transit.....	68	15	17
Highways.....	21	44	35
Pollution control.....	61	11	28

(11) Do you believe you have a real voice in how this country is run?

Percent  
Yes ..... 23  
No ..... 72  
No Opinion ..... 5

(12) What do you consider the two or three major issues facing the nation today?

This question and number 13 which is similar, triggered the highest number of comments, both in the margins of the questionnaire forms and in separate letters.

The people of the First District who responded cited "government corruption", "Watergate", and "Nixon" as part of the general theme of the issue which concerns them most. Inflation was the second most often named issue cited as a major problem facing the nation today.

Other issues causing great concern are "high taxes", "unemployment", "government overspending", "excessive military spending", "care for the elderly", "the energy crisis", "health care", "education", and "environmental problems."

(13) What about right here in the First District? What do you consider the major problems here at home?

Moving closer to home, the issue causing most concern is definitely inflation, being named by respondents nearly three times as often as any other issue.

Four other issues, the energy crisis, high taxes, education, and environmental problems, very nearly tied for second place as the major issues.

Other issues of major concern include "farm problems", "problems of grain transportation", "care for the elderly", "housing", "highways", "crime", "drug abuse", "too much welfare", and the announced closing of the Atomic Energy Commission facility at Burlington, Iowa.

Compared to being the number one concern on the national front, the Watergate scandal and what First District residents consider "corrupt government" ranked tenth in the list of major issues facing the First District.

(14) How do you think the freeze on beef prices affected the food price inflation problem?

Percent  
Helped cut inflation..... 7  
Made things worse..... 53  
Little or no effect..... 40

(15) Since Phase I was announced in 1971, the President has used economic controls in an attempt to curb inflation. How successful do you believe the controls have been?

Percent  
Very successful..... 1  
Fairly successful..... 21  
Unsuccessful..... 78

## MISGIVINGS ON THE ENERGY CRISIS

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. BLATNIK. Mr. Speaker, an eloquent editorial by Veda F. Ponikvar, editor of my hometown biweekly newspaper offers a penetrating analysis of the effects of the energy shortage and pinpoints the deep dissatisfaction haunting people in the Midwest and across the Nation: The lack of confidence in the President and his administration.

Despite repeated predictions of energy shortages, this administration has refused to face up to the problem realistically with constructive programs and policies to avert the unemployment, inconveniences, and personal discomfort which the public is suffering. Even now, after months of delay and refusal to implement authority granted by Congress, this administration's response has been uncertain and indecisive proposals which fall far short of the needs and expectations of the American people. Surely, as this editorial illustrates, America is "deserving of better housekeeping in the White House."

The beginnings of the energy shortage have already taken a deep toll in human terms—the elderly who cannot afford to pay more for heating oil and who would suffer great physical discomfort and severe illness without adequate heat in northern Minnesota's bitter and hazardous sub-zero temperatures; the workers who commute miles to the iron ore mines cannot afford a 30-cent gasoline tax increase; the small businessmen across the Mesabi Range who have been struggling in an already depressed economy; the parents worried about school closings and cold classroom.

All this while oil companies report a more than 60-percent increase in profits during the third quarter of this year alone—and reports are widespread about suspected oil reserves which lie untapped while the oil companies wait for an advantageous price increase.

Mr. Speaker, these sobering, incisive editorial comments are written more in anguish than in anger, but also in the timely hope that they will encourage action toward an effective and durable Federal program to cope with the energy crisis. In that spirit, then, I call this editorial to the attention of my colleagues:

### WITH MISGIVINGS—PUBLIC RESPONSES

With misgivings, the American public is responding to the President's request to conserve on gasoline and fuel in the wake of the strange and sudden shortage that is plaguing our nation.

As thermostats are lowered and speeds are reduced, the citizen of an affluent America has begun to ask many questions, and to

date, there have not been any convincing, concrete, factual answers. We are not in a major declared war; we have not suffered any devastating holocaust; we have more people working than ever before in the history of this nation; we have technology on our side; and we have a record of production that cannot be equaled anywhere else in the world, and yet we are faced with shortages of such essentials as fuel oil and gasoline, wheat and flour, meat and dairy products, paper and cotton.

### SOMEONE WASN'T KEEPING HOUSE

The dilemma can be placed squarely in the lap of the President and the White House Cabinet officials. Either they have been too engrossed in self-seeking power and personal aggrandizement to recognize the pitfalls and obligations of their responsibilities in governing a nation, or they have not been capable of the task assigned to them and have permitted other nations to make fools out of the greatest country serving the brotherhood of man. The tragedy of shame, disgrace, and bungled leadership that has been heaped upon the United States can be attributed directly to greed, arrogance, dishonesty, and a total disregard for the people of this nation. We have traditionally looked to the White House as a citadel of regency, humility, devoutness, direction, leadership, elegance, and above all, humility and honesty. Wherever else there may have been discrepancies, bungling and misdemeanors, we have clung to the White House for two hundred years as the fireside of greatness. Because Americans are a resilient people, we shall gather the ashes and begin to rebuild on an American dream that has been shattered and fragmented into myriads of crystals that will take a great deal of remodeling and firing.

### WHO HAS THE COURAGE?

The question arises, who has the courage and the stamina to call a halt to the inequities that are virtually destroying us? While the American consumer and laborer braces himself against the shortage of fuel oil, and paying exorbitant prices for the few gallons that are available, the major oil companies, despite cursory denials, are basking in the glow and warmth of some of the greatest profits in their history. In the first nine months of this year, oil industry profits skyrocketed forty-seven percent above the 1972 levels, and in this last third quarter alone, the profit levels were up sixty-three percent from the 1972 levels. Business Week's Survey has revealed that the oil industry profits for the third quarter of 1973 were larger than the combined totals of the auto, food, machine tool, metals, paper, steel, textiles, tire, and rubber industries. The President has told the American public they must conserve and cut back, but he has done or recommended nothing to hold the prices on the fuel oil or gasoline.

Those who have a job and bring home paychecks will somehow get by. But are the elderly, the fixed income groups, the poverty segments, and the thousands already out of jobs because of this shortage fiasco, who cannot cope with the spiraling prices.

### A NOTE OF FURTHER IRONY

And while Americans on the West Coast, already hit hard by the gasoline shortage, watch boatloads of gasoline and fuel oil leave for other destinations; while our people are paying over fifty cents for a loaf of bread as the wheat laden boats piled their way toward Russia, we are told of another increase to be implemented this weekend on the basic commodity of milk.

A bleak Yuletide faces an America that was deserving of better housekeeping in the White House, once the beacon and hope of all mankind, and now darkened and shaded because men entrusted to honor and service, became lost in a fog of greed and power.



## GOOD ADVICE FOR BUSINESS

## HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. PICKLE. Mr. Speaker, a good friend and distinguished American, former Ambassador Edward Clark, had some good advice for business in a speech he delivered recently in Austin Texas.

Speaking to the Philosophical Society, Ambassador Clark outlined 10 general objectives for businesses whose duty it is to supply the Nation's energy. And he went on to call on industry to be leaders in finding a compromise between profit making and public responsibility. He suggests this could be done by business involving itself in urban problems, poverty, race relations, environmental problems—both in ways that do and do not require investment of money.

Ambassador Clark's words are wise ones not only for business but for any body which has to deal with the public and I would like to reprint them in the RECORD at this time.

STATEMENT BY AMBASSADOR EDWARD CLARK TO PHILOSOPHICAL SOCIETY

I was asked yesterday by Chief Justice Joe Greenhill to make a statement on the natural gas crisis, together with, believe it or not, my suggestions for what should be done about this problem.

Energy is important to all people's human needs—it is important not only to energy supplying corporations such as oil, gas and electric companies, but to every industry. Human needs doesn't just mean heating and air-conditioning, but jobs, safety, traffic lights, hospitals, education, transportation, cooking and refrigeration.

Energy is fossil fuel, nuclear power, geothermal, solar—and the search and conquest by research and development of all potential energy sources.

Natural resources and producing states have in the past been compelled by our national policy to compete in an international market, while northern and eastern manufacturing states have had their products compete in tariff protected markets.

Energy supplying corporations have a responsibility as corporate citizens to the following ten objectives:

1. Provide for human needs as that term is from time to time defined and enlarged.
2. Create a reasonable and logical atmosphere to the public's understanding of energy consumption.
3. Promote the conservation of energy by the consuming public, both individual and commercial—turning off lights, less heating and cooling in areas both in homes and buildings that are not used. Innovative design by architects and engineers to maximize the need for less energy—heating, lighting and air-conditioning.
4. Consider price design for the sale of energy so that the more used cost greater rather than the current practice of reducing the cost as more energy is consumed. Pricing is a complex mechanism and must be considered carefully by every supplier and regulatory authority in determining the fair rate of return on the investment of the supplier used and useful in supplying the energy.
5. Develop all sources of fossil fuels—oil, gas, coal degasification—both on-shore and off-shore.
6. Balance environmental aesthetics versus the total need and requirements for energy.

7. Promote the understanding and development of nuclear energy as a logical source of power.

8. Greater independence on reliability of energy so as not to be dependent and subjected to foreign sources with the obvious related implications.

9. Promote positive reserves and development on the total potential of energy resources, including the dedication of additional revenues for the search and capture of energy reserves.

10. Strive for a complete cooperation and understanding between representatives of the government and the public.

Business men are becoming increasingly aware that the business community can prosper only by being part of a healthy society, and can preserve its present degree of independence from public control by participation in the solution of social and environmental problems in accordance with public expectations and demands. There have been demands made from outside the business community—Ralph Nader, for example, has proposed that there be national elections to select public directors for large corporations.

The growing pressure from both inside and outside the business community has caused considerable self-examination on the part of business. Businessmen must take the lead in exploring and articulating the relationship between profit motive and service to society. There is obviously a potential compromise between the polarities of the position that the corporation's sole motive is making profits and the concept that business' ethical responsibility is to the public regardless of profits. Unless the business community takes the lead in establishing such a compromise solution, the decision may be forced upon it by governmental and activist pressure, and the solution may not be as favorable to business or as workable.

As a starting point, it is my suggestion that business recognize that there are problems which must be solved, and, since business cannot avoid involvement in the social climate in which it operates, it is, in effect, "good business" to participate in the solution to the problems.

Since public attitude plays a large part in shaping the climate in which business operates, and the public increasingly expects corporate participation in the solution, business may find that the resulting good will can justify the expenditure of increased corporate responsibility.

The corporate participation now accepted by many businessmen involves business participation in the areas of urban problems, poverty, race relations, and environmental problems, as well as the more traditional philanthropic areas of financial aid to education, science, and local and national charities. Corporate responsibility does not in every instance involve corporate expenditures; for example, the morally sound principle of ending racial prejudice can be encouraged throughout an industry without significant expenditures. Other forms of corporate responsibility require both commitment and capital.

For example, it has been suggested that businessmen should seek to obtain acceptance within the business community of progressively higher levels of support for the social agencies which are seeking to solve the problems in the communities where they do business. Some businesses have now adopted "matching gift" programs, where the company matches, dollar-for-dollar, contributions made by its employees for charitable or educational purposes. It appears that, as a whole, American business falls far short of the philanthropic support permitted by the Internal Revenue Code, and it would seem that an increased level of philanthropic support by business would demonstrate clearly business' concern for

social betterment without significantly reducing earnings per share.

In the area of race relations, many large companies have already selected directors from minority groups in apparent recognition of the proposition that large companies affect all sectors of society and its leadership should represent all sectors of society.

There have been other suggestions which are designed to provide a forum for self-examination of corporate responsibility within the corporation itself. The election of "outside" directors, who represent the public generally, could provide a "conscience" for the corporation and perhaps a different perspective in board deliberations. Shareholder's committees for corporate responsibility could provide insight and information to the company, and perhaps a valuable channel of communication between the company and the shareholders who may be affected by the company's social endeavors.

The concern for the environment has reached such proportions that business has lost much of its freedom of choice, but still is blamed for much of the problem and has the opportunity to contribute much to the solution. Business should take the lead in suggesting and articulating market incentives which would build the solution of the environmental problem by industry into the profit and market system. Such a solution must go beyond the familiar suggestions of tax incentives and surcharges for effluents. Business may have to prepare itself to forego at least some short-term benefits and profits in favor of long-term appreciation in connection with solution of the environmental crisis. Perhaps most important, business must devote itself to workable solutions which would solve the environmental problems without disastrous and unnecessary "overkill."

It seems to me that business' most important expression of corporate responsibility is in the providing of leadership in helping to solve the social problems of the times. The business community includes a vast reservoir of talented and capable people who are uniquely qualified to provide leadership and direction to the many groups, private and public, which are seeking solutions. By recognizing that business must participate in the solution of social problems, and that business is uniquely qualified to provide responsible and qualified leadership, business can achieve the highest degree of social responsibility without sacrificing our free enterprise system, and without completely changing the recognized objectives of the corporations.

COL. MEREDITH P. SMITH, COMMAND CHAPLAIN, TO RETIRE

## HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. GAYDOS. Mr. Speaker, early next week Col. Meredith P. Smith, command chaplain of the Air Force Systems Command at Andrews Air Force Base, will end an illustrious career in military service. A native of my 20th Congressional District in Pennsylvania, Colonel Smith is retiring after more than 30 years in the service of his country.

Every combat veteran knows a chaplain has a unique link with those called upon to risk their life in the defense of the Nation. During World War II, there was a saying which emphasized the need for chaplains in combat:

There are no atheists in foxholes.

I believe that to be true. Many men, facing imminent death at the hands of an enemy, felt the need to make peace with their God. They sought the chaplain and with him prayed for God's blessing in the hell of battle.

Colonel Smith knows the needs of such men. He entered military service on November 11, 1942, during the holocaust of World War II. He earned five campaign stars while serving with the 2d Filipino Regiment, the 5th Armored Division, and the 3d Infantry Division. He was recalled during the Korean conflict and since then has served at numerous bases here and abroad. Colonel Smith wears with pride the Army/Air Force Commendation Medal, the Air Force Commendation Medal with two oak leaf clusters, and the Meritorious Service Medal.

Born in Wilmerding, Pa., in the Monongah Valley, Colonel Smith, a graduate of Etna High School, Etna, Pa.; Asbury College, Wilmore, Ky.; and Boston University, Boston, Mass. During his civilian ministry, he served pastorates in Buena Vista, Ky.; Dingham Canyon, Utah; Moultonville, N.H. and Marblehead, Mass. Married to the former Leda Yarnell of Butler, Pa., and the father of three children, Colonel Smith plans to return to Wilmerding after his retirement.

Mr. Speaker, it is with great pride that I bring Colonel Smith's record to the attention of my colleagues. He is a man with a special calling who has served long and well his God, his country, and his fellow man. May God go with him now.

#### PRESIDENTIAL PROCLAMATION OF BILINGUAL EDUCATION WEEK

### HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. BADILLO. Mr. Speaker, today I am introducing a joint resolution authorizing and requesting the President to proclaim the week of May 13, 1974, as Bilingual Education Week.

The Annual International Bilingual Bicultural Education Conference will be held in New York City on May 15-18, 1974, and will be officially welcomed by the United Nations. I believe that this is a most fitting gesture, since that body represents the place where many languages come together in an effort to promote peace and harmony among all the peoples of the world. I further believe that an official proclamation designating Bilingual Education Week would help to focus attention on the special needs of our many citizens and residents who either speak no English or who have limited English-speaking ability.

I would like to emphasize that this will be an international conference, with participants coming from around the world. This is an important point, since the fostering of the teaching and

knowledge of foreign languages is important to our relations abroad as well as to our domestic needs.

It is my hope that this proclamation will at least partially help to emphasize the need for a renewed commitment to the concepts of bilingualism and biculturalism. By now, most of us have come to the realization that the great melting pot we once thought we had does not really exist at all. Each of us is proud of his own individual heritage and many ethnic groups cling tenaciously to the customs of their ancestors.

Still, in order to function as one cohesive nation, we must have some common means of communication, and we have officially adopted the English language. I believe, therefore, that we must provide every opportunity for each American citizen to become competent in the English language. At the same time we should encourage the preservation of the many cultural and linguistic traditions which blend to make this country.

Over the past few years the Congress has made a beginning in providing equal opportunity for non-English-speaking persons through legislation such as the Bilingual Education Act. Unfortunately, this program has not been as successful as it was intended to be, due to the fact that it has never been fully funded. More recently, I have offered amendments to the Comprehensive Manpower Act of 1973 for the purpose of insuring that persons of limited English speaking ability are given every opportunity to compete fully and equitably with other citizens in the U.S. labor market.

Although the joint resolution which I am introducing today will not provide any new program or any additional moneys to assist those in need of bilingual training, it can have an important psychological impact both on the non-English-speaking community and on those of us who are charged with the responsibility of developing new and innovative approaches to resolving their situation. I know that many of my colleagues can identify communities within their own districts where there are sizable enclaves of people who continue to cultivate the language and customs of their ancestral homelands. I am sure you will agree that the concept of bilingual education is vital to these people in order to give them the preparation necessary to become productive citizens. For this reason, I hope that the resolution will receive wide bipartisan support, and I urge my fellow Members to support it.

The following Members join me in cosponsoring this bill: Mr. ROY, Mr. DERWINSKI, Mr. ROSENTHAL, Mr. DE LUCA, Mrs. COLLINS of Illinois, Mr. DELLUMS, Mrs. SCHROEDER, Mr. RHODES, Mr. WYLER, Mr. RYAN, Mr. PEPPER, Mr. YOUNG of Alaska, Mr. GONZALEZ, Mr. BENITEZ, Mr. HAWKINS, Mr. MURPHY of New York, Mrs. GRASSO, Mr. BINGHAM, Mr. RODINO, Mr. COHEN, Mr. ROYBAL, Mr. LONG of Louisiana, Mrs. CHISHOLM, Mr. WON PAT, Mr. MOAKLEY, Ms. ABZUG, Mr. STOKES, Mr. TREEN, Mr. TOWELL of Nevada, Mr. KOCH, Mr. PICKLE, and Mr. DANIELSON.

#### RALPH NADER CONTINUES THE FIGHT AGAINST STRIP MINING

### HON. KEN HECHLER

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. HECHLER of West Virginia. Mr. Speaker, the current energy shortage is being used by the giant energy conglomerates as a ramrod to shove more strip mining down the throats of our people. Under the pressure of this latest crisis, we are forgetting the environmental and human crisis that is strip mining. The following letter was written by Ralph Nader to Sir Denys Flowerdew Lowson, chairman of the board of directors of the American Association, Ltd., a British corporation which controls more than 100 square miles of coal-rich land and which controls the very lives of the people of that area of the Appalachian Mountains in Kentucky and Tennessee. I hope Mr. Nader's letter will serve as a case study to reawaken all of us to the incredible price that the people of the coal fields are paying daily because we in Congress allow strip mining to continue. The letter follows:

MAY 16, 1973.

SIR DENYS FLOWERDEW LOWSON, Chairman, Board of Directors, American Association, Ltd., London, England.

O, it is excellent to have a giant's strength, but it is tyrannous to use it like a giant.—"Measure for Measure," Act II, Scene 1.

DEAR SIR DENYS: As a Life Governor of the Royal Shakespeare Theatre, you are no doubt familiar with these lines. The thought has been applied widely—and rightfully—to America's involvement in Vietnam. Yet as that war winds down, another one continues, a quiet, sordid little war in the once-verdant mountains of the states of Kentucky and Tennessee. The victims of this war are the local residents and their land; the aggressors are "strip miners." And the responsibility falls in large part upon the American Associations, Ltd., a British-based landholding and development company of which you are Chairman of the Board.

The American Association, Ltd., controls about 65,000 acres—over one hundred square miles—of coal-rich land, in the Appalachian Mountains of Kentucky and Tennessee. This region is famous for a sad paradox: human misery and abject poverty atop and amidst some of the world's most abundant mineral deposits. The explanation is regrettably simple. Appalachia is a colony. The people there do not own the wealth. Large, outside corporations like the American Association do. And the prime, almost exclusive, concern of these corporations has been to exploit the region at the lowest possible cost to themselves.

Most of your company's holdings—about 50,000 acres—lie in the isolated "Clear Fork Valley" in Claiborne, Campbell, and Bell Counties. Clear Fork is one of the most populated remaining valleys in the coal areas of Central Appalachia, with about 500-700 households in the communities of Fonde, Pruden, Hamblintown, Clairfield, Buffalo, and Straight Creek. Your company owns perhaps 85 percent of the valley there.

In this remote valley, the American Association has displayed corporate profitseeking at its worst. It has permitted wanton and destructive "strip mining"—mining by blasting and scraping away the surface instead of tunneling into a coal deposit. Once-



beautiful mountains are now scarred and gouged; foliage is razed; streams are clogged and filled with acid and filth; the inhabitants are endangered by landslides, floods, and polluted water. The difference between what strip-mining is doing to the land in Appalachia, and what B-52 bombers have done to the land in Southeast Asia, is one of degree, not of kind.

And while carting away over 2.2 million tons of coal per year, leaving the region that much poorer, and in ruin, the American Association and the Companies to which it leases have virtually ignored the needs of the residents there. They have avoided their fair share of the local tax burden. They have presided over the destruction of job opportunities. They have even blocked the efforts of the local citizens to better their own lot.

Idealism and good intentions—spiced, albeit, with a goodly dose of empire and profits—propelled your firm into Appalachia in the early 1890s. Backed by capital from Britain's Baring Brothers, the American Association founded a town called Middlesboro (after a British counterpart) in the State of Kentucky, and set out to make it the booming iron and coal capital of the southern United States. The venture was to strike a bold new phase in British enterprise and in Anglo-American relations. "This is but a transfer of British business to American soil," proclaimed American Association founder Alexander Arthur on November 11, 1890, to visiting dignitaries in the newly-resplendent Middlesboro Hall. He went on:

"I would say that America needs this place and our Anglo-American money, experience and push. Our mines, ovens, furnaces and works you have seen; these comprise our plant. We have also the sinews of body and of money and stand ready, clean-cut, and vigorous, for a generation of progress and success in manufacture, arts, and sciences. Come and join hands with us in the great enterprise which is worthy of the noblest efforts of us all, native or foreign born though we may be." (Italics supplied.)

But misfortune, greed, and highly questionable dealings soon shipwrecked the hoped-for "noblest efforts." The financial panic of 1893 dried up the venture's British backing; Middlesboro was sold at auction, and 80,000 acres of mountain and valley land were mortgaged to the Central Trust Co. of New York, for \$1,500,000.

Then a strange thing happened. The Central Trust filed to recover on the mortgage in 1894, the one J. H. Bartlett was appointed Special Commissioner to conduct the sale. Mr. Bartlett let the property go for but \$25,000—about thirty cents per acre. The buyer was, of all people, an agent of the American Association, Ltd., a newly-formed corporation with essentially the same membership as the American Association, Inc. Shortly thereafter, Mr. J. H. Bartlett became General Manager of American Association, Inc.

The American Association, Inc. said later that the land had been worth well over one-half million dollars at the time of the sale.

This strange transaction did not go unnoticed. Creditors of the American Association, Ltd. sued the new American Association, Inc. in Claiborne County for "fraud," claiming it had "paid nothing for said property." But the records of this suit went up in flames with the Claiborne County Courthouse. And researchers could find no trace of the suit at the Bell County Courthouse.

The Association had acquired its Appalachian Coal empire through means its founder Mr. Arthur and yourself might not wish to label a "transfer of British business to American soil." Most records of the era are either missing, or else were burned with the County Courthouse. But the region is alive with tales of how American Association tricked, threatened, or forced uneducated

mountain people into giving up their valuable coal-land for fifty cents to a dollar an acre. Said one mountaineer recently:

"The American Association said the land was worthless and that they would give my daddy a dollar an acre and we could live on the land and pay rent and they would pay the taxes. We didn't know it but we were standing barely 4' from a seam of coal when the American Association was talking to us."

Local residents say that when the property records burned with the Courthouse, the American Association used the chance to claim property that wasn't theirs.

At first, self interest bound the American Association, and the coal operators to which it leases, to a sort of uneasy truce with the people of the region. The companies needed men to dig the coal out of the large deep mines. So they had to provide these men and their families with a place to live and at least a minimal level of human services. Usually this level was indeed minimal. The miners and their families lived often in indecent conditions and worked in hazard-trap mines. And they were virtual serfs to the companies that employed them and owned everything around them—their home, their credit at the company store, health care and recreation in the company town, even "justice" at the company-controlled courthouse. In the 1930s your company, along with others, tried to keep these miners from joining a union that could stand up for their rights. Yet, despite all this, the need for able, willing bodies to mine the coal made the American Association and its cohorts show some concern for the region and its people.

But the chord that had kept this uneasy truce together has broken. Mining coal no longer requires people. In fact, people just get in the way. Your company has expressed the desire to rid the area of residents. It will no longer repair homes, and it plans to tear them down in the near future. Yet there is little other housing or even property on which to build housing. Depopulation has replaced paternalism as official corporate policy.

"The people would be better off, and we would be better off, if they would be off our land," said Mr. Alvaredo E. Funk, the American Association's General Manager in Middlesboro, Ky.

It began in the 1950s, when a coal market slump forced many coal operators to close down. Medium sized independent operators, like those that lease much American Association land, were especially affected. Employment in the region dropped sharply. In 1952 there were 1,230 coal mining jobs in Claiborne County; by 1958 there were but 282. Your company made no effort to provide other sources of employment for the men thrown out of work.

Since the 1950s, the market for coal has revived. More than revived. It is positively bullish. But bullish for the American Association and other coal owners and operators, not for the people of the region where you get the coal. Automation and strip mining have cut drastically the need for miners. At the single large deep mine left on your property, that of Consolidation Coal, 350 men with modern machinery turn out about as much as 1,500 men produced at 9 mines in 1948. And men are even more dispensable in strip mining. In Claiborne County alone, 200 men can now blast and bulldoze out almost as much coal as 1,500 deep-miners could dig in 1948.

Today, the need for local labor gone, a sort of undeclared warfare has broken loose. The companies to whom you lease are making an unchecked assault upon the land, and in consequence, on its people.

It is hyperbole to compare your company's presence in Appalachia to a war zone? Consider the evidence.

#### 1. ENVIRONMENTAL DESTRUCTION

Irresponsible strip-mining on your lands in Tennessee harkens dismally of the laying-waste-to-the-land strategies of bygone generals. As you know, a strip miner literally blasts away the sides or top of a mountain. He then bulldozes the debris over the side, and shovels out the coal. The process is fast, cheap, and destructive in the extreme. Landslides block roads and railways, destroy homes and farmlands, and imperil human beings. The blasting alone has cracked the frames and foundations of homes. Streams, choked with silt and debris, flood at the slightest rainfall, leaving harmful deposits on scarce fertile soils. Acid and mineral substances pollute the water and endanger the area's water supply.

"We are afraid to go to sleep when it rains. We just stay up all night," says one Tennessee resident whose property these floods have ruined. In the Clear Fork Valley, some people must boil their water and add chlorine to it to make it safe to drink. And the Campbell County Highway Department has had to spend thousands of dollars clearing a single road after continual landslides.

Is this the experience of people in peace or in war?

Your company, the American Association, currently hosts more strip mining operations than does any other landowner in Tennessee. On your Claiborne County property alone, strippers laid waste to about 3,000 acres before the State passed a law in 1967 requiring that the land be restored. Since then, 1,400 more acres on your land have been stripped, and the reclamation is questionable at best despite the new law.

#### 2. TAX EVASION

While their mineral wealth is literally carted out from under them, the people of this region pay, in measurable and immeasurable ways, for this destruction. State and local governments have to clear the roads after landslides and both roads and bridges after illegally overweight coal trucks have beaten them apart. The people pay for this through taxes, and through their own efforts to undo the damage to their homes and property. Yet not only do they get little or nothing, not even jobs, in return. Your company even avoids its duty to pay taxes to meet the costs of local government.

In the United States, local governments depend mainly on property taxes. Especially in Appalachia, where coal is the major form of property wealth, owners like the American Association are expected to pay their share. But it hasn't worked out that way in Claiborne County. Your 44,000 coal laden acres there represent 17 percent of the County's land area and perhaps 90 percent of the County's coal reserves. Yet in 1970 your property taxes provided only 3 percent of the County's property tax revenue. That year your company claimed to the State Board of Equalization—the board of appeals—that 40,000 acres of its coal-rich land were worth but five dollars per acre. Yet in that one year alone you garnered more in royalty payments from the mining companies to which you lease.

Complaints by local citizens led the Tennessee Board of Equalization to require that coal properties be assessed more accurately. But the figures your General Manager Mr. Funk then supplied the State were dubious at best. Local citizens charged that Mr. Funk's suspicious figures gave your company an almost one million dollar underassessment. The State Board seems to have borne out these claims when it tripled values Mr. Funk reported for properties now leased to Consolidated Coal.

Still, the strip mines on your land are greatly underassessed and undertaxed. Two companies mining your land, under lease, appear to have escaped taxation altogether, while others seem to have kept all their

mining equipment off the tax rolls. As late as 1972 your coal-rich Claiborne County lands that were not being mined were still assessed at only \$25/acre, less than the least expensive farm land in the county.

### 3. HOUSING

As the major employer in the Clear Fork Valley, and as owner of most of the land, the American Association once provided most of the housing as well. But now that it no longer needs the people, it seeks to get rid of them. It is your company's declared policy to tear down its houses in the valley, and not to build new ones. The houses your company still rents, it won't repair. Nor will it compensate tenants who make their own repairs. And the leases it grants are usually for but thirty days, if it grants a lease at all. And they empower you to evict without cause or reason.

"I've seen barns in better shape . . . Why, I've worked farms where people wouldn't keep their animals in barns the shape of these houses," one tenant said recently.

Meanwhile, strip mining destroys these homes and the land on which they rest. Residents count forty-two houses that have been stripped away in the small Rock Creek Hollow alone.

And your company has turned its back on both the immediate distress and the long-run needs of people whose homes are thus destroyed. In 1955 on American Association property, water broke through an old "slag" pile, surged down and destroyed the Community of Valley Creek. Two children were killed. Your company offered meager compensation. Just last year your company did not take preventive action when a landslide from a strip mine on your land threatened homes and lives in the Community of Buffalo Hollow until after local citizens hired an attorney and Granada Television filmed the slide for broadcast in Britain. Even the belated efforts you have taken—which have had little success—are of small comfort to people who have had to evacuate homes on your property before the invading army of bulldozing strip miners. Or to residents such as Lewis Lowe, who now faces perennial flooding along Clear Fork Creek. Or to the people endangered or blocked in by the land-slides on such places as Duff Road.

Your manager, Mr. Funk, stated on the Granada television documentary, "The Strip-ping of Appalachia," "We're ploughing back our share into the development of Appalachia." Ploughing, indeed, there is aplenty. But apparently the only "development" is on a minor part of your holdings; in Cumberland Gap, across the giant Cumberland Mountain from Clear Fork Valley. Here one finds a new Holiday Inn for tourists, and here a marina and golf course are planned, as your May 19, 1971 Statement to Shareholders puts it, "to attract the wealthier citizens of Pineville and Middlesboro." What of the less wealthy residents of your 50,000 or more acres in the isolated Clear Fork Valley?

They could move elsewhere, one might reply. After all, your Statement to Shareholders the following year applauds your contribution to the local housing supply. "We have continued," it says, "our policy of building houses on plots of land owned by us. . . ." But these too are across the Cumberland Mountains. In the isolated valley, housing is scarce because your company owns most of the land and is tearing down its houses. There are very few "elsewheres" for people who wish to remain in the land where they and their parents were raised. And jobs and living conditions in the distant cities are very uncertain.

### 4. PREVENTING LOCAL SELF-HELP

To keep the area under tight control, the American Association has blocked the efforts of local citizens to help themselves, to pro-

vide for their own jobs and housing. These people have formed a community development organization, the Model Valley Development Council, to better the lot of the valley and its residents. Several years ago, when the Council approached your company to buy land for a small factory, your company would consent to sell or lease only a single small tract. It was covered with slag and refuse from an old mine, and the Association would let it go only if the local people themselves cleaned up the shameful mess. In 1972 the American Association refused to sell or lease land for the people to build homes. Last autumn, American Association General Manager Funk would not consider making just one-half acre available for the community to build a health clinic. Since then (and after wide showing of the Granada T.V. documentary) Mr. Funk has suggested you might lease—but not sell—some land.

But the people are still waiting. Meanwhile your company won't even let them cut trees for wood to repair their homes.

The mere control of so much of this area's land and wealth sets your company athwart any growth or local self help there. The County government is reluctant to provide services like sewers and roads because the population is sparse—sparse largely due to American Association policy. Lack of these services in turn keeps new builders away. And potential industries shun the almost total dependence on your company that setting-up in the region would involve.

Your company won't help these people. And it won't let them help themselves.

The American Association's seventy year occupation of this forgotten portion of Tennessee has resulted, then, in what? Surveys in the Valley have shown unemployment at about 30 percent. Around 20 percent of the households live on less than \$1,000 per year; another 20 percent make less than \$2,000. (\$9,400 per year was the average family income in this country in 1969.) Homes are being destroyed and land and water are being ruined. Prospects for employment are grim. Prospects generally are grim, with your company looking ahead to 25-30 more years of strip mining, and then timber cutting after that.

Does this picture suggest the presence of a responsible citizen or of a greedy aggressor? And what will the picture be in twenty-five more years?—not in the small portion of your land north of Cumberland Mountain, where you are building playspots for the rich, but in the depressed Clear Creek Valley where most of your holdings lie?

The bloom indeed has faded from the hopes your countrymen held for the American Association venture in Kentucky and Tennessee. How different the response of two English people, viewing the enterprise at the outset and now. Visiting the area of 1891, Sir James Kitson, then-President of the British Iron and Steel Institute, could boast:

"I think we all, as Englishmen, rejoiced to see a town which was being developed with so much sagacity, so much judgment and energy: that was being developed under English auspices and with British capital." Eighty years later your countrymen were holding their heads a bit lower. After watching the Granada television documentary on your holdings in Clear Fork Valley, a Middlessex, England woman felt impelled to write a small local Tennessee newspaper:

"I write to tell you how ashamed I am that an English-owned company can so indiscriminately cause so much havoc to a small community. . . . My feelings after watching a recent television programme on the subject were ones of total horror.

"You must realize that I am an English woman of absolutely no importance, but nevertheless, would like to use the good offices of your newspaper to apologise for the desecration caused by an English company,

on land in a country that has always had very close ties with my own. . . ."

It is true that the American Association is just one small part of your nearly \$220m (\$500,000,000) secrecy-enshrouded corporate empire, of which *Investor's Chronicle* magazine said, "What is quite unknown is how the empire is controlled, how the various companies relate to each other." This empire spans from Australia and Thailand to Canada and the West Indies, and includes pursuits so diverse as racetracks, rubber plantations, and equipment for hairdressing salons.

But the policies of the American Association spell the fate of the people and culture of the Clear Fork Valley. And they are now causing embarrassment to people of your own country.

You have shown charitable instincts in many ways. You have served as officer or director of six hospitals. In 1953 you were on the Executive Council of the Lord Mayor's National Flood and Tempest Distress Fund. Until 1948 you were Vice President of the League of Mercy.

Now you can apply this same sense of responsibility to the corporate realm.

What can you do? Such steps as the following, which you could set in motion at once, could begin to change your company from a hostile aggressor to a more responsible constructive citizen.

1. First, and most important, you should personally visit the region, for at least several days, to see first hand what your company's policies have done. You should meet with local residents to hear their views and to discuss your company's past actions and plans for the future.

2. Your company should inventory, and begin to correct, the damage strip mining on its land has done. Especially urgent is the need to correct damage to homes, farms, roads, and water supplies.

3. You should require all companies to whom the American Association leases, to restore carefully and completely the property on which they mine, and to repair any damage they do to the people or the region.

4. You should also require these companies to cooperate fully with tax officials, and to provide them with the information necessary to set fair and equitable property tax assessments. Such information should include lease agreements, royalty rates, and survey and estimates of coal reserves.

5. As a symbol of your desire to compensate the people of the region for the valuable land your agents tricked or threatened their forebears into selling, you should donate some of your 50,000-odd acres for community development.

6. You should keep in good repair the housing you rent to local people. And you should extend to them fair and adequate lease protection.

7. You should stop refusing to sell land to local groups seeking to build industry or housing.

8. You should instruct your General Manager, Mr. Alverado E. Funk, to negotiate with local citizen groups a fair and equitable compensation for all the property taxes which the American Association has avoided in the past.

9. You should, in the future, consult with these citizen groups about changes in your company's policies in the area.

Such steps will help get your company out of its social red ink in Appalachia. But what of the many other companies you control? Are they too laying waste to forgotten corners of the world?

There is a larger lesson to be learned from your destructive Appalachian venture. It is simply to apply to social problems, on the corporate level, the old adage "To foresee is to forestall." It would be a signal act of corporate foresight and responsibility for you to set up now a special committee to monitor



the social impact of all the businesses you control. This committee should comprise both people from within your enterprises, and representatives of outside groups speaking for important social concerns. It should have the full authority of your office, and should report directly to you.

"Come and join hands with us in the great enterprise which is worthy of the noblest efforts of us all..." proclaimed the sanguine founder of the American Association, Alexander Arthur. While the standard since then has fallen miserably, it is not too late to hoist it up again. In fact, the decline, like adversity, could be sweet. It could occasion an ascent to a truly higher standard of corporate action and accountability.

Will you exert your "noblest efforts" to that end? Or will your neglect be the occasion of a mobilized citizenry recovering their future through resurgent legal and political action?

Sincerely,

RALPH NADER.

#### ADDRESS BY SECRETARY OF AGRICULTURE BUTZ

HON. WILEY MAYNE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES  
Tuesday, December 11, 1973

Mr. MAYNE. Mr. Speaker, I wish to call the attention of the House to the noteworthy address delivered by Secretary of Agriculture Earl Butz yesterday, December 10, at the convention of the Indiana Farm Bureau in Indianapolis. Entitled "American Agriculture Must Export To Live," the address is a thoughtful and vigorous exposition of the vital importance of our farm exports, the essential role of open trading in increasing such exports and the need to keep agricultural and industrial trade negotiations hitched together in the current round of negotiations under GATT. During today's debate on the Trade Reform Act of 1973, I have recommended the Secretary's remarks to my colleagues as extremely timely and pertinent to such legislation. The text of the address follows:

#### AMERICAN AGRICULTURE MUST EXPORT TO LIVE

(By Secretary of Agriculture Earl L. Butz)

American agriculture stands at the hub of the world market for food and fiber. In turn, exports are vitally important to American agriculture.

The American agricultural plant is geared to produce substantially in excess of this Nation's capacity to consume. That fact is unquestionable.

There are three ways of dealing with our excess capacity: (1) we can curtail farm production; (2) we can expand domestic consumption; (3) we can maintain farm exports at a high level.

*Curtailing farm production is neither an effective nor an acceptable means of dealing with our excess production capacity.*

For the greatest part of the last 40 years—and especially during the 1960's—we sought to curtail farm output in an effort to maintain higher than competitive prices. The objective was to improve farm income.

That approach has not worked satisfactorily. We have maintained higher than competitive prices, but we have not adequately bolstered farm income.

Why not? The body politic failed to recog-

nize that economic theory and political practice are not one and the same in the realm of farm programs.

Income is the result of price, times volume, minus cost. Foodstuffs are said to have a fairly inelastic demand because demand for foodstuffs is relatively constant. As a result, when the volume of available food decreases, food prices increase proportionally more than the volume of food decreases. In reverse, when the volume of food increases, food prices usually fall proportionally more than the volume of food increases. Theoretically, then, by curtailing output prices should increase more than the volume is decreased, and thus farm income should improve.

In practice, it just does not work that way. There is no flaw in the economic theory. The problem is political. The Congress simply has never had the courage to legislate farm programs with the tough controls necessary to be most effective. Furthermore, farmers have never really expressed much inclination to stomach such controls had the Congress enacted them. Besides we have as a matter of policy had the government store a surplus which served as a constant ceiling on farm prices and prevented the market from performing adequately.

The inescapable conclusion of our 40-year experience is that a policy of "government-created scarcity" is clearly not the best way to deal with the excess production capacity of American agriculture in order to strengthen farm income.

*Increasing domestic consumption is an important but limited solution to agriculture's excess capacity problem.*

The current level of affluence in the United States makes extensive programs to increase consumption unnecessary. The biggest economic boom in American history is doing that.

There is one exception—those individuals at the very low end of the income spectrum. We are serving that need through a very expansive and expensive food assistance program. It is now a permanent policy of the United States to supplement food expenditures of low income Americans.

In other words, that segment of demand has now been made effective, and it will remain so. Yet, even the continuing and increasing demand stemming from society's affluence and from substantial food assistance programs will not be sufficient to absorb the full measure of American farm productivity.

*A vigorous and growing export market is vital to an economically sound and prosperous agriculture.*

We currently export a sizeable share of several major farm commodities: nearly three-fourths of our wheat, half of our soybeans, one-fourth of our feed grains, more than one-third of our cotton and tobacco, two-thirds of our rice, half of our cattle hides.

Farm exports for Fiscal 1973 totaled \$12.9 billion. That amounted to the production of one out of every four harvested acres and is equivalent to about one-fifth of farmers' yearly cash receipts from marketings. In Fiscal 1974 farm exports may be in the neighborhood of \$19 billion.

Without strong export market outlets for our products, farm income would plummet. Rural America would suffer disastrously, and tens of thousands of rural people would flock to the cities.

*A sizeable farm export market is important to the entire Nation.*

Millions of workers employed in the industries related to agriculture—farm suppliers, handlers, transporters, processors, and merchandisers—would flood the labor market looking for work if we were to lose our farm export market. Maximum farm production creates jobs throughout the economy. Nearly 40 percent of our work force

is involved directly or indirectly in agriculture and its products.

Loss of our farm export market would make it necessary to cut farm production by nearly one-fifth in order to avoid tremendous waste and avert a farm depression. It would also eliminate about one-fifth of all agriculturally-related jobs. That loss would amount to 8 percent of the Nation's work force—which, at the outset, could triple unemployment in this country, a disastrous consequence.

Full production agriculture, which sizeable exports make possible, enables farmers to lower the average unit cost of production through higher volume. That means better incomes for farmers, abundant food at moderate prices for consumers, and reasonably priced foodstuffs for people around the world who seek to eat better by buying in the American market.

Cutting exports, and thus restraining production, would mean less income for farmers as well as shorter food supplies and higher food costs for consumers. That approach would also either let people around the world go hungry or forfeit to other less efficient food-producing nations the opportunity to earn the profits and to increase employment from food production.

Farm exports are a principal source of the Nation's foreign exchange. The chief reason is that the United States is the best place in the world to buy farm products over the long run. We have every intention of continuing to fulfill that role. As a result, farm exports are the best hope we have for maintaining the value of the dollar abroad.

A vigorous agricultural export business enables us to obtain from abroad the items of trade which have become so essential to this nation's standard of living.

Oil for energy is the most well-known example, and today the most urgent concern. Beyond the present problem of reaching agreement with oil-rich nations to sell oil is the problem of paying for that oil. We do not purchase that oil with the currency of Iran or Libya or Saudi Arabia or Venezuela. We do not print those currencies in this country. We pay for oil with soybeans and wheat and cotton and hides and the other items of our agricultural abundance.

The same is true for the small cars we import, the electronic equipment, the cameras and recorders, the coffee and tea, the bananas and olives. Our capacity to export farm products clearly makes it possible for us to import what we need, what we want, and what we have grown to expect.

Furthermore, the capacity of this nation to export food has been and continues to be a major factor in our efforts for peace. It played a major role in achieving what has become a beneficial and effective detente with the Soviet Union. It was a warming factor in breaking our long period of icy silence with the People's Republic of China.

Consequently, our food-producing genius became a very important factor—indirect though it may have seemed—in achieving a peaceful settlement to the war in Vietnam. Certainly our food abundance helps to maintain the detente which gave the United States an atmosphere in which to build peace in the Middle East.

*The question is really not whether we must have agricultural trade—the question is how we will do it.*

Tomorrow's trading relationships are being defined right now in Geneva, Switzerland, where representatives of more than 100 nations are gathered for the Seventh Round of negotiations under the General Agreement on Tariffs and Trade. These are the most important and far-reaching trade talks since the Kennedy Round began 10 years ago.

The expanded European Community is busily extending trade preferences to nations in the Mediterranean, Africa, and even South America.

The Congress has not yet acted on a new trade bill—but it will when it resolves questions relating to diplomacy, jobs, the health of the dollar, and our approach in relating to the world's developing nations.

Questions arise in this environment regarding how trade will be conducted. Will we have open trade—with low trade barriers that permit goods and services to flow freely according to market demand and comparative advantage? Or will we have administered trade—with trade and production patterns established under international agreements between countries and groups of countries?

The type of trading arrangements established will make a great deal of difference to American agriculture.

*Open trade enables us to take the offensive—administered trade is defensive.*

I favor taking the offensive. The historical contrast between soybeans and peanuts is one clear example of why I do not find much promise in the defensive approach.

At one time, both peanuts and soybeans contributed about equally to farm income. Both are oilseeds that produce protein meal and oil. Both are widely adaptable to United States farming areas.

Peanuts took the defensive approach. The Government set up acreage controls, high support prices, an import quota, and an export subsidy—all in the name of helping peanut growers.

Similar "help" was proposed for soybeans—but farmers avoided such defensive measures. Soybean producers instead took the offensive road to opportunity and growth by producing for expanding markets.

Look at the results. Soybeans have become the major source of added protein for a protein-hungry world. Soybeans are America's most valuable crop—grown on 57 million acres this year and contributing nearly \$7.5 billion to 1973 gross farm income. Most important—Government program costs for soybeans are nearly zero.

Peanuts on the other hand, which compete for the same markets and also have the candy and peanut butter market besides, are planted on just 1.6 million acres. Their contribution to farm income is only about one-half billion dollars. Yet, Government costs have run close to \$100 million annually in recent years—with a sharp upward cost trend.

Soybeans took the offensive, the open route, sought markets—and won. Peanuts took the defensive, the administered route, ignored trade—and lost.

*Open trade fits our competitive, incentive economy—administered trade is based on the great leveling process.*

The United States has traditionally favored freer, more open trade. That is natural. It fits our basically decentralized market economy where individuals are free to earn more and to reap the reward of greater effort.

Many other nations favor the great leveling process. The European Community is heavily committed to administered trading. While the Common Market has open trading within its expanding membership and offers special trade relationships to certain third nations, it seeks to avoid open trading with non-affiliated nations. The centrally-planned economies of the Communist Bloc nations challenge an open trading system since they can conduct trade in ways which other nations cannot.

*Open trading encourages effective use of resources—administered trading distorts resource allocation and results in stress, inefficiencies, and shortages.*

Open trading lets the law of comparative advantage function—that means production will occur where goods can be produced most efficiently. That means greater total output at less cost than any other system of determining who shall produce what. The specialization that results brings added efficiency and leads to even greater output and higher incomes. That makes possible a higher stand-

ard of living for more people, in this country and around the world.

Open trading encourages production of the things people want, when they want them. Open trading reduces problems of scarcity and surplus since world production tends to be more stable than that of individual countries.

Under administered trading, consumers have to wait longer for what they want, settle for less of it, and generally pay a higher price when they get it. Since industries usually have to bow to the demands of the market in the long run anyway, administered trading simply postpones the day of reckoning.

As Americans, we ought to understand how counterproductive administered trading can be. We have painfully gone through Phase I to Phase IV. Administered trading would simply be Phase III ½ raised to the tenth power.

*Keeping agricultural and industrial trade negotiations firmly hitched together is a must if we are to achieve open trade.*

Some of our major trading partners—the Common Market and Japan particularly—want to negotiate their industrial and agricultural sectors separately because they want to protect their highly subsidized agriculture. Such nations want lower trade barriers for their industrial goods while they continue to protect their agriculture.

To agriculture's sorrow, we gave in and agreed to such a separation in the Kennedy Round. Barriers on manufactured goods were lowered—but our farm products were held back from Western Europe, Japan, and other markets. This unwise strategy in the Kennedy Round contributed heavily to our recent balance of payments problem and our dollar devaluations.

We must be wise enough in the current round of GATT negotiations to consider the trade matters related to agriculture in the mainstream of those negotiations. After all, agriculture remains our largest industry, our largest employer, our largest exporter, our largest contributor to economic stability, and a critical tool of negotiation in world peace.

Only open trade will give American agriculture the opportunity it seeks and the American economy the stimulation it needs. Administered trading leaves our farmers as pawns in the leveling process—and further stifles our already control-weary economic system. That open trading can only be achieved if agricultural and industrial trade negotiations are considered together.

American agriculture clearly must export to live. Without exports, the health of the farm economy would be sadly jeopardized.

Furthermore, the Nation would suffer—in terms of our own supply and cost of food, in terms of jobs, in terms of our ability to buy from abroad, in terms of our economic stability, and in terms of peace.

#### MORAL BANKRUPTCY: A NEW EXAMPLE

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Ms. ABZUG. Mr. Speaker, today's New York Post lead editorial confronts the issue of President Nixon's tax situation head on. They conclude that this newest attempt at "Operation Candor" fails once again and proves to be "A Case of Moral Bankruptcy."

I commend the following editorial to the attention of my colleagues:

#### A CASE OF MORAL BANKRUPTCY

Whatever legal judgments may finally be rendered about some aspects of President Nixon's financial files, the statement accompanying their release once again dramatized the moral bankruptcy of his leadership.

His words were clearly unresponsive to the underlying questions previously raised—and now confirmed and multiplied—about his tangled financial affairs. In effect he seemed to be presenting a technical lawyer's brief to prove—in his earlier infelicitous phrase—that "I'm not a crook." But even if that position can be sustained, the heart of the indictment stands.

Thus, by his own report, it is established beyond dispute that for three of the four years of his first term, Mr. Nixon paid a total of less than \$6000 in taxes, and that for two of those years, 1970 and 1971, he paid less than \$1000 annually. The key device employed to achieve this tax immunity was the "gift" of his Vice Presidential papers (many of them government documents) to the National Archives. This was assertedly made before repeal of the loophole provision in July, 1969. In addition—a disclosure apparently at variance with an earlier statement—he deducted \$250,000 in interest payments on his real estate taxes.

Meanwhile, as a result of his tax maneuvers and a series of realty transactions, his net worth has risen from \$307,141 on Jan. 20, 1969—inauguration day—to \$988,522 on last March 31.

Even if there were no troublesome questions about whether Mr. Nixon used and abused the powers of his office for private financial advantage, the overall portrait of his operations would express gross insensitivity to the appearance of things. Millions of ordinary Americans were meeting heavy tax burdens amid the stress of inflation while he was escaping taxation.

And others were dying in Vietnam. "I have proceeded in a manner I thought both prudent and in the best interest of my family," Mr. Nixon said. Did it never occur to him that his acquisitive life-style and tax gimmickry caricatured all his solemn appeals to the nation for sacrifice and self-discipline? Was he so arrogantly confident that the truth would remain hidden—at least for the duration of his Presidency—that he could live by the credo of "The public be damned"?

Obviously Mr. Nixon recognizes that his belated exercise in "full disclosure" will not "lay to rest" many of the issues created by his report. He felt obliged to propose, for example that the conservative-dominated Joint Congressional Committee on Internal Revenue Taxation review the deductions he took on his private papers and on the sale of land adjacent to his San Clemente estate. It is hardly the President's prerogative to determine what body of Congress should explore these matters.

Moreover, as Sen. Weicker (R-Conn.) pointed out yesterday, this is essentially the business of the Internal Revenue Service. Is the President admitting that the IRS can no longer command public confidence because of the unusual eight-day audit that approved his negligible tax payments in 1971 and 1972—an exercise so hasty that it inevitably invites suspicion of heavy urgent White House pressure?

Innumerable details of the Presidential accounting will stir unease and debate. This is the acknowledgment that he retained for himself unspent portions of his \$50,000 annual expense account, supplementing his \$200,000 salary—and these added sums were protected by his tax refuges. There is the extraordinary confession at the White House briefing that he was unaware that he had not been paying any California income tax, again a disputed legal point but one on which his avowal of ignorance must be considered astonishing.



There is the revelation that his own auditors disputed the view of his tax accountant that no capital gain should be declared on the San Clemente property sale. There is the saga of the trust fund set up by pharmaceutical magnate Elmer Bobst for Tricia Nixon.

In short, Mr. Nixon was understating the matter when he conceded that "questions and controversies may continue as a consequence of these disclosures." They surely will; not the least will concern the absence of evidence in the latest documents that his papers were actually donated to the Archives before Congress nullified that provision.

Amid all the ramifications that remain to be explored, the incontestable and unforgettable image is that of a President who almost totally eluded taxation for two years and paid a minor fraction in a third while his assets were expanding—and while he presided over a nation hurt by war and inflation.

The moral shallowness and cynicism unfolded in that portrait transcends legal arguments. It is consistent with the insolvency of spirit that was to emerge on so many levels of the Administration which has given us Watergate, the White House horrors, the Saturday night massacre, the tales of the missing tapes and so many other shabby scenes.

#### THE PULP AND PAPER SHORTAGE

### HON. HAROLD V. FROELICH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. FROELICH. Mr. Speaker, there is a serious pulp and paper shortage in the United States. It is causing a scarcity of several vital paper products, and it is leading to layoffs and unemployment for thousands of workers across the country.

There are a number of factors that have brought us to the present situation. One factor that can and must be corrected immediately is the domestic ceiling price on pulp which is driving domestic pulp into foreign markets.

I am afraid that immense damage to the American economy will result if the Cost of Living Council does not decontrol domestic pulp in the immediate future—certainly before the end of the year.

Other steps should be taken, including a realistic limitation on pulp exports, at least until the pulp shortage has been reduced.

An outstanding program for meeting the pulp and paper shortage has been proposed by Mr. Joseph Tonelli, president of the United Paperworkers International Union. It was outlined last Sunday, December 9, 1973, in a paid advertisement in the New York Times.

With the idea that more people should be made aware of the present crisis and the steps necessary to correct it, I insert Mr. Tonelli's program in the CONGRESSIONAL RECORD:

THIS PROGRAM IS WORTH THE PAPER IT'S WRITTEN ON

Our country, already in the midst of an energy crisis, is now faced with a pulp and paper shortage of crisis proportions.

Paper production in many mills and converting plants has been drastically reduced because of insufficient stock. And at the same time pulp is being exported at twice the domestic price.

The small independent converter has had to curtail production because he hasn't enough paper.

Our members are being laid off. The hardships of an industry in short supply are already hitting home.

#### THE TIME FOR ACTION IS NOW

The Cost of Living Council must give consideration to our Union's Program to save jobs and to divert a greater flow of pulp, newsprint and paper to domestic market.

The Cost of Living Council must decontrol wages and prices in the paper industry. Prices of pulp and paper products should be allowed to rise in a free market.

Paper companies need profit levels that will permit them to generate internal cash. A higher rate of return on investment is essential, in order to attract new additional capital if present needs are to be met.

Projections of well established trends mandate that companies immediately earmark money for capital expenditures for new mills and for improving existing facilities, if we are to meet future domestic and world market requirements.

The pulp and paper producers must make an immediate and strong commitment for a substantial increase in new capacity in the primary sector of the industry.

It is imperative that there be an immediate curtailment of foreign exports of both pulp, paper and of all varieties of waste paper.

Paper companies individually must assume responsibility to voluntarily allocate and distribute fairly, greater quantities of paper to the small independent converters. The flow of paper to the independent converters must be immediately increased and maintained; if not, the independent converter will be squeezed out of business.

The Federal Government must create a diversity of incentives that would enable the industry to recycle more waste paper on an economically sound, continuing and dependable basis.

This proposal becomes increasingly attractive because it has the added virtue of helping to relieve the nation's solid waste problem.

The 187 million acres that comprise our national forests should be given twentieth century management and technology with full regard for watershed protection and water conservation. Wood fibers on public lands must not be wasted; wood fibers can and should be harvested without disturbing the ecosystem or wildlife conservation.

It is incumbent that the Cost of Living Council act quickly to prevent the loss of thousands of jobs and to bring more paper to the domestic market.

#### ISRAEL: DETERMINED TO LIVE

### HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. REID. Mr. Speaker, I insert in the RECORD an article which appeared recently in the Patent Trader, a newspaper of northern Westchester County, N.Y. The article, entitled "Israel: Determined To Live," is authored by Ben G. Frank, a writer and lecturer who has spent the last 2 months in Israel, and now resides in Chappaqua, N.Y.

The article is, I believe, thoughtful and sensitive and merits the consideration and attention of my colleagues. I commend it to them:

#### ISRAEL: DETERMINED TO LIVE

(By Ben G. Frank)

ISRAEL.—The sands of the Sinai, the rocks of the Golan Heights, the walls of Jerusalem, the concrete of Tel Aviv are a long way from the hues of the foliage of northern Westchester with its quiet towns, its peaceful country roads, its beautiful homes and easy going suburban life.

And yet despite the distance, an American arriving in Israel in October of 1973 is well received. There is no ugly-American syndrome here; Americans are friends.

This makes it easier to talk to the man in the street; to the soldier, to the government official and to the mother of three whose husband kissed her and the children on the steps of the synagogue on Yom Kippur and went off to war.

One really does not have to scratch very hard at all in Israel to realize what it is to be in a nation at the end of the war, as was this writer.

The observations come pouring out at you after a brief visit.

Israel is sad.

Israel is strong.

Israel is proud.

Israel worries.

But above all, Israel is determined to live and survive.

Israel is sad because in a nation of three million, just a little more than the borough of Brooklyn, it lost about 2,000 young men. In proportion to the U.S. this would mean over 200,000 American boys killed. Add on this another approximate 3,500 Israeli wounded and one can see why there is not a family in Israel that was not touched by the 1973 war.

Being in Israel is like being in a small town. When I arrived and telephoned David Breslau, assistant director of B'nai B'rith Hillel in Jerusalem, he told me that Oren Hadary—whom I knew in the 1950's as a wirey, freckle-faced kid of seven, just like the energetic boys that roam Chappaqua streets and roads—had been killed in the war. Thus, I, too, knew someone who was killed. That is the way it is in a small country: Everyone knows everyone else. Life, too, is very precious in Judaism, said Mr. Breslau. Judaism is a family and each life is especially valuable to a people which lost six million 30 years ago, he indicated.

Therefore, the sadness in Israel today penetrates the atmosphere. Sgt. Shlomo S. also went off to a "war we did not ask for," he said. When he is at home now on leave, he related, he and his friends do not phone each other. Each does not know if the other is alive and each is afraid to call the other. Somebody has to break the ice, though, and I witnessed a scene where Sgt. S. and his friend, nickname Ben, met. The latter just popped over to Sgt. S's house with his wife. You could see they all held back their emotions; the trials and tribulations of war were on their faces, the days when husband and wife were apart. The wine was brought out, and everyone said, "L'Chayim," to life—and someone else said, "this should only be the last war."

It is very emotional in Israel. Can it be otherwise?

I met a soldier in the Sinai who showed me a letter he received from a girl, Ruthie, who like thousands of school children, made up gift packages for the boys. This soldier carried the student's letter with him wherever he went and this is what it said:

"To a soldier who is on the borders. Please receive my pretty present. I hope that the war will end fast and you will return to us healthy and well." . . . Signed Ruthie.

He received two pieces of soap, two packs of cigarettes, a toothbrush, bubble gum, chocolate, coffee and cakes—"all the things one forgets when one rushes off to war," he said.

Yaakov Dehan of Jerusalem, who came from North Africa to Israel in 1948, has lived through four Arab-Israel wars plus the so-called "War of Attrition" in 1968-70. He has 10 children and five were in the service this time, and one was wounded. And though he smiles you know that down deep he suffered the anguish of a father saying goodbye to his sons who went off to war.

Children suffered, also. Do not think that little four-year-old Galit of Ramat Gan is alone. She is now afraid to leave her mother when darkness falls—a result of the blackouts and trips to the air raid shelters.

Mrs. Mollie Golub, an American woman from Brooklyn who spends a great deal of time in Israel, told about the children in the Mizrahi Women's Organization of America institutions. "Superficially," she said, "the children look alright, but nobody knows what goes on in the mind of a child."

Israeli children, too, saw the war on television. They know when a teacher was killed. They know when the son of a housemother in a nursery was killed. They know when a cousin was killed. "It was a trauma for the children to hear about the deaths of people they love," says Mrs. Golub as she goes on a visit to a hospital ward with wounded Israeli soldiers. "It is here where you see people charred by the ravages of war."

America and President Nixon have a special place in the hearts of Israelis and you can see why when you hear those huge Galaxie transport planes filled with military supplies zoom in and out over Tel Aviv.

"For America stood by Israel in its hour of need," said one taxicab driver. "We know," he continued in a more realistic tone, "America did not do it because of the colors of our eyes. She did it because we are saving the Middle East from a Russian takeover."

A rabbi voiced that feeling when he said, "Israel is the anchor of American security in the Middle East."

Again, after this war, despite the losses and the sadness, Israeli appear to be strong. There is no gloating. "We did what we had to," said one soldier who added with determination, "as we say it, we had 'no alternative.'" He and others added, "never again will the Arabs attack us by surprise as they did on Yom Kippur."

You watch Golda Meir, that energetic 75-year-old woman premier, visit the troops on the West Bank of the Suez Canal, and you see the respect they have for her—this matriarch who lived in America once. As she walks by, she tells the soldiers: the world knows how well you did, "who you are and what you are."

She sits down in the middle of the desert and talks to them and they all talk of the future . . . and the soldiers ask critical questions of their government.

Days later, she will fight back the tears when the wounded prisoners of war are brought to Lod Airport.

Israel also feels isolated as "Europe left us and Africa left us," said Yehuda Shimon, El Al's manager for Israel.

Israelis also worry about political pressure. The impression one comes away with is that many feel it will "be in vain," if they are pushed by the diplomats back to indefensible borders. Especially after this "surprise war" do they, the Israeli, want defensible borders with a peace treaty.

If peace ever comes to this region, Jew and Arab can live together.

Minister of Police Shlomo Hillel said in an interview with this writer that there was not one act of sabotage among the Arabs that lived in Israel. Whatever they (the Arabs) thought, they kept it to themselves.

Minister Hillel, a member of the cabinet, said that many Moslems volunteered to drive trucks; many bought Israel war bonds; many served in auxiliary forces and the Druze fought in the Israeli Army.

H. Breitenfeld, chief of police for the Jerusalem sub district, said the Arabs, after a short lull, also went back to work despite the war.

And despite the tension, the minister of police said that "not a single case of harm was done to any Arab during the whole war."

Israelis will have to tighten their belts, that they know. The cost of the war has been put at about \$6 to \$8 billion, that is about a year's Gross National Product for Israel. Minister Hillel pointed out that construction has stopped and that his most optimistic feeling was that it will take four to six months to catch up with this and other programs, though he admits it probably will take longer.

During the war, too, although crime is not a problem in Israel, thieves went out of circulation. "Even thieves have a certain sentiment to the surroundings," said the minister of police.

Over and over again, you hear what you heard at Hadassah Hospital at an entertainment show for wounded soldiers, and that is, as the entertainers say, "let this be the last war." That is what you see written on the faces of the sons and daughters, mothers and fathers, and grandparents of Israeli in November, 1973.

#### MONTHLY CALENDAR OF THE SMITHSONIAN INSTITUTION

#### HON. HENRY P. SMITH III

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. SMITH of New York. Mr. Speaker, it is my privilege to insert in the RECORD each month the Monthly Calendar of the Smithsonian Institution. The December Calendar of Events follows:

CALENDAR OF THE SMITHSONIAN INSTITUTION, DECEMBER 1973

SATURDAY, DECEMBER 1

Film for Kids: *The Living Desert*—a Disney production exploring the varieties of life in the desert. 2 p.m., Baird Auditorium, Natural History Building. \$3 general; \$2 Associates.

SUNDAY, DECEMBER 2

Fall Film Trips: Outstanding independent films entitled *Consequences*; *Further Adventures of Uncle Sam*; *Notes on the Circus*; *Crocus*; 69; *Run Good*; *Nuptiae*, 5:30 p.m., History and Technology Building Auditorium. \$1.25 general; \$1 students; \$.75 Associates.

MONDAY, DECEMBER 3

Cosmic Evolution Lecture: *Intelligent Life Beyond the Earth*. Speaker: Professor Philip Morrison, Massachusetts Institute of Technology. Final lecture in the series on "Are We Alone in the Universe?" Co-sponsored by the Smithsonian Institution. 8 p.m., National Academy of Sciences Auditorium, 2101 Constitution Avenue, N.W.

WEDNESDAY, DECEMBER 5

The Ascent of Man: *The Harvest of the Seasons*—Man discovers agriculture and domesticates plant and animal life, imposing his will on the wild wheat and the horse. Second in the BBC-TV and Time-Life Films featuring Dr. Jacob Bronowski and his personal views of the history of man seen through a history of science. Remaining films will be shown December 12, 19; Jan 2, 9, 16, 23, 30; Feb. 6, 13, 20, 27. All begin at 8 p.m. in the Baird Auditorium, Natural History Building. Each Wednesday film is repeated

the following day at 12:30 p.m. in the History and Technology Building Auditorium. Sponsored by the Smithsonian Free Film Theatre and the Office of Seminars.

Free Film Theatre: *The Desert*; *The Everglades*—two films showing the life patterns of two wilderness areas. Two-film program begins at 12:30 and 1:30 p.m. History and Technology Building Auditorium.

Slide Presentation: *African Children*. Travelogue about black children in Nigeria and Gambia. Created especially for children by Fletcher Smith of the museum staff, the program is accompanied by various artifacts that can be touched and handled. 10 a.m., Anacostia Neighborhood Museum.

THURSDAY, DECEMBER 6

The Ascent of Man: *The Harvest of the Seasons*, 12:30 p.m., History and Technology Building Auditorium. See December 5 for further details.

\*Investigative Reporting Seminar: David Wise moderates the program with the following topics and discussants: The Interrelationship of the Press, Government and Public in a Democracy, Jack Anderson, *The Washington Post*, United Feature Syndicate, Inc.; The Role of and Need for Investigative Reporters, Jack Nelson, *The Los Angeles Times*; The Impact of Watergate on Investigative Reporting and Vice Versa, Seymour Hersh, *The New York Times*; The Rights of the Reporter versus The Rights of the Target—The Shield Law, the Grand Jury, The First Amendment, Leakage, Saul Friedman, *The Detroit Free Press*; The Two Types of Investigative Reporting: Reliance on Sources versus Public Record, Lucian K. Turcotte IV, *The Village Voice*; New Possible Directions for Investigative Reporting, Joseph Eszterhas, *Rolling Stone*, 8 p.m., Baird Auditorium, Natural History Building \$5 general, \$4.50 students; \$4 Associates.

FRIDAY, DECEMBER 7

Exhibition: *Marguerite Zorach: The Early Years, 1908-1920*. Forty paintings, drawings, and prints by Mrs. Zorach (1887-1968) from her years as a student in Paris to later works done in California, New York and England. Represented are her interpretations of Post-Impressionism, Fauvism and Cubism as well as her own mature literal style. National Collection of Fine Arts, through February 3.

Tie-Dye Demonstration by James Campbell, exhibits specialist. Persons attending may bring an item to be dyed and participate in a workshop. 10 a.m., Anacostia Neighborhood Museum. For more information call 678-1200.

\*Sonnets and Lyrics: *Lucille Clifton and Michael Lally* reading the spare, direct poetry which has grown from the black woman's experience of self and surrounding. 8 p.m., Reception Suite, History and Technology Building. \$5 general, \$4 Associates. Reading will be followed by a reception.

The Oberlin Baroque Ensemble: Performers present a program of baroque music that will include Marin Marais' Opera for Instruments, *La Gamme*, played on instruments from the museum's collections—baroque violin, one-keyed flute, viols and harpsichord. An Americana concert presented by the Division of Performing Arts. 8:30 p.m., Hall of Musical Instruments, History and Technology Building. \$3.50 general, \$3 Associates. For reservations, call 381-5395.

SATURDAY, DECEMBER 8

Portfolio Day: High school juniors and seniors from the Washington area are invited to take part in the third annual program for pupils aspiring to an art education. Students are invited to bring portfolios; and information, evaluation and counseling will be available. Admissions officers from area and national colleges and universities having strong art programs will participate. For in-

Footnote at end of article.



formation, call (202) 381-6541, Education Department, National Collection of Fine Arts. Registration 11:45 a.m.-1 p.m.; Interviews 1-5 p.m. Free. NCFA.

#### SUNDAY, DECEMBER 9

\*Chinese Opera: *The Return of the Phoenix*. An innovative and imaginative Chinese musical, based on the Peking opera. The all Chinese-American cast switches to and from English and Mandarin Chinese, and recorded music is combined with live performance of musicians of the Yeh Yu Chinese Opera Association. 5 and 8 p.m., Baird Auditorium, Natural History Building, \$6 general, \$4 Associates.

\*Fall Film Trips: *The Mad Baker; Circles, No. 2; Eau d'Artifice; The Bird; Bump City; Variations on a Cellophane Wrapper; What Fixed Me*. 5:30 p.m., History and Technology Building auditorium. \$1.25 general; \$1 students; \$.75 Associates.

#### MONDAY, DECEMBER 10

Audubon Lecture: *Mexican Adventures*. Chess Lyons, naturalist and conservationist, describes his journey to the off-shore islands of Mexico through the jungles of mangroves, the desert, into the Sierra Madre Mountains and into the heartlands of the Yucatan Peninsula. Sponsored by the Audubon Naturalist Society and the Smithsonian Resident Associate Program. 5:30 and 8:30 p.m., Baird Auditorium, Natural History Building. \$2.50 general; \$1.50 members. Children, \$1.50 and \$1. For reservations call 381-5157; tickets, as available, will also be sold at the door.

Santa Clause Arrives: Milton Jones, the neighborhood Santa of Anacostia, arrives at the Smithsonian's Anacostia Neighborhood Museum, for a two-week residence. Details of Santa's arrival will be announced.

#### TUESDAY, DECEMBER 11

Christmas Concert: *The Potomac English Handbell Ringers*, directed by Nancy Poore Tufts, will ring in the Yule season with a concert of works by Corelli, Haydn, Mozart, Scarlatti, Brahms, Grieg, Tchaikovsky, and Delius; present day folk songs, Christmas carols and contemporary compositions. The program includes a demonstration of the ancient art of change-ringing. Tickets are free and can be obtained, two to each requester, at the Renwick Gallery Information Desk or Museum Shop in person or by mail (enclose self-addressed, stamped envelope). 8 p.m., Grand Salon, The Renwick Gallery.

\*Turkish Gala: Celebration of the 50th anniversary of the Turkish Republic. A film on Atatürk and the cultural development in Turkey, a reception with Turkish hors d'oeuvres and entertainment by Turkish musicians will be a part of the evening, all under the patronage of His Excellency, The Ambassador Esenbel, and in affiliation with the American Turkish Association. Ambassador Esenbel will be introduced by Dr. Esin Atıl of the Freer Gallery of Art. 6-8 p.m., Baird Auditorium and Rotunda, Natural History Building. \$3.50 general, \$2.50 Associates and American Turkish Association members.

#### WEDNESDAY, DECEMBER 12

The Ascent of Man: The Grain in the Stone—Man's faith and fancy as architect and builder expressed in the Greek temples of Paestum, cathedrals of medieval France, ancient Inca cities of Peru and modern Los Angeles. 8 p.m., Baird Auditorium, Natural History Building. See December 5 for further details.

\*Opera Lecture: Francis Robinson, Assistant Manager of the Metropolitan Opera, discusses opera at the Metropolitan and in Washington. 7:30 p.m., Reception Suite, History and Technology Building. \$6 general, \$5 Associates.

Free Film Theatre: *Point Pelee*—the narrow peninsula in Lake Erie that supports a

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unique combination of plant life; *Rise and Fall of the Great Lakes*—the history of the Great Lakes told through the eyes of a lone canoeist. 12:30 and 1:30 p.m., History and Technology Building auditorium.

American Aviation Historical Society. 8 p.m., National Air and Space Museum conference room. Public is invited.

#### THURSDAY, DECEMBER 13

Creative Screen: Holiday film festival. *Snowman's Dilemma*—A Bulgarian animated film about a bashful snowman's love of a little girl; Dylan Thomas' *A Child's Christmas in Wales*—still photographs of Welsh children and adults; *A Christmas Fantasy*—the magic of a northern Christmas. 11:30 a.m., 12:30 and 1:30 p.m. The Renwick Gallery.

The Ascent of Man: The Grain in the Stone. 12:30 p.m., History and Technology Building auditorium. Repeat. See December 12 for further details.

\*Homage to W. H. Auden: Devoted to the memory of one of the masters of contemporary poetry. An evening of poetry reading and reminiscences by two of his most distinguished colleagues—Stephen Spender and Daniel Hoffman—and introduced by Robert A. Brooks, Under Secretary of the Smithsonian Institution. 8 p.m., Baird Auditorium. \$3 general, \$2 Associates & students.

#### FRIDAY, DECEMBER 14

Christmas in Time: An original play by Rhozier "Roach" Brown, performed by the Inner Voices of Lorton Reformatory. 1:15 p.m., Anacostia Neighborhood Museum.

#### SUNDAY, DECEMBER 16

Jazz Heritage Concert: Cecil Taylor Unit. Pianist, composer and first leader of the jazz avant-garde, Cecil Taylor performs his own works in a rare Washington appearance. 8 p.m., Baird Auditorium, Natural History Building. \$4.50 general, \$4 Associates. Sponsored by the Division of Performing Arts. Free Workshop 4:30 p.m. For reservations call 381-5395.

\*Fall Film Trips: *FFFTCLM; The Dove; Window Water; Baby Moving; Migration; Breathing; The 'What Did you think of the Movie?'* 5:30 p.m., History and Technology Building auditorium. \$1.25 general, \$1 students, \$.75 Associates.

\*Brass 'Twixt Bloody Marys: Festive 19th century brass music related to the coming holiday season presented by musicians of the Division of Musical Instruments. Brunch of Bloody Marys, coffee, and pastries precedes or follows the concert, 10 a.m. to 12 noon or 11 a.m. to 1 p.m. \$6.50 general; \$5.50 Associates. Introduction to Kwanza: Special programs have been designed to introduce groups to the African celebration of Kwanza. Reservations for these programs, scheduled for December 16-22, may be made by calling 678-1200.

#### MONDAY, DECEMBER 17

Wright Brothers Wind Tunnel Demonstration: In connection with the anniversary of the Wright Brothers flight, the wind tunnel used by them in experiments will be demonstrated every Monday, Wednesday and Friday at 2 p.m. through January 11, North Hall, Arts and Industries Building.

#### TUESDAY, DECEMBER 18

Black Christmas Play: Produced and directed by teenagers who are part of the Urban League's Anacostia drug abuse education program. 7:30 p.m., Anacostia Neighborhood Museum.

#### WEDNESDAY, DECEMBER 19

Lunchbox Forum: *Ten Years of Air Racing 1964-1973*. An informal discussion led by Don Berliner and sponsored by the National Air and Space Museum. 12 noon, Room 449, Smithsonian Institution "Castle" Building.

Free Film Theatre: *Alone and the Sea*—the saga of an elderly fisherman; *Living on the Mud*—a commune forced to abandon their homes by urban demolition. 12:30 and 1:30

p.m., History and Technology Building auditorium.

Ascent of Man: *The Hidden Structure*—The early techniques of Oriental metallurgy and the mystical searchings of alchemists give way to the beginnings of chemistry, Dalton's atomic theory and our knowledge of the elements. 8 p.m., Baird Auditorium, Natural History Building. See December 5 for further details.

#### THURSDAY, DECEMBER 20

The Ascent of Man: *The Hidden Structure*. 12:30 p.m., History and Technology Building auditorium. Repeat. See December 19 for details.

#### FRIDAY, DECEMBER 21

Exhibition: *Steinberg at the Smithsonian: The Metamorphoses of an Emblem*. Thirty-six drawings by Saul Steinberg, contemporary graphic artist and Smithsonian artist-in-residence, January-April 1967. All drawings are on Smithsonian letterhead creating visual puns by using the engraving of the Smithsonian "castle" as the nucleus of each drawing. National Collection of Fine Arts, through February 10.

#### SUNDAY, DECEMBER 23

\*Virginia Folk Tales. The Wayside Theatre on Tour presents a unique theatre experience based on tales drawn from Virginia folk lore, and especially planned for children. The players perform, discuss, demonstrate and improvise, including the audience in their performance. 2 p.m., History and Technology Building auditorium. \$2 general, \$1.50 Associates.

#### TUESDAY, DECEMBER 25

The Smithsonian Institution museums and the National Zoo buildings will be closed Christmas Day. Merry Christmas.

#### WEDNESDAY, DECEMBER 26

Free Film Theatre: *Whaler Out of New Bedford*; and *Paddle to the Sea*. 12:30 p.m., History and Technology Building auditorium.

Kwanza Celebration: An African thanksgiving festival called Kwanza—a celebration by Africans born in America to commemorate the first fruits of the harvest and the principles of the African heritage that made the harvest possible. Anacostia Neighborhood Museum, through January 1. For daily program information call 678-1200.

#### THURSDAY, DECEMBER 27

Free Film Theatre: *Whaler Out of New Bedford*; and *Paddle to the Sea*. 12:30 p.m., History and Technology Building auditorium.

Creative Screen: Holiday Film Festival—*Snowman's Dilemma*; Dylan Thomas' *A Child's Christmas in Wales*; *A Christmas Fantasy*. Repeat. See December 13 for details.

#### HIRSHHORN DOCUMENTS

The Hirshhorn Museum and Sculpture Garden, scheduled to open October 1974, is recruiting for participants in a volunteer document program. Training will begin in January. If interested, contact E. P. Lawson, 381-6512, prior to January 1, 1974.

#### REHABILITATION MEDICINE FILMS

Shown each Friday at 12:30 p.m., History and Technology Building auditorium, in connection with the current exhibition; *Triumphing Over Disability*—200 years of Rehabilitation Medicine in the United States. 7th—*Within Our Grasp*; *Happy, Forward*; *Room for Recovery*; *Eat to Your Hearts Content*.

14th—*Run Dick, Run Jane*; *Harlem Hospital Center*; *Help for Mark*.

21st—*Lisa, Pay Attention*; *Lights Out, No Sound*; *I Am Joe's Heart*.

28th—*Breath of Life*; *Congestive Heart Failure*; *Home for Supper*.

#### DEMONSTRATIONS

Museum of History and Technology Steam Engines. Wednesday through Friday, 1-2:30 p.m. 1st floor.

**Machine Tools.** Wednesday through Friday, 1-2 p.m. 1st floor.

**Spinning and Weaving.**—Tuesday through Thursday, 10 a.m.-2 p.m. 1st floor, and Sunday, Dec. 9 and 30, 1-4 p.m. (No demonstration Dec. 21-Jan. 1.)

**Printing and Typefoundry.** Monday, Tuesday, Thursday, Friday, 2-4 p.m., 3rd floor.

**Musical Instruments.** A selection of 18th and 19th century instruments, and American folk instruments, Hall of Musical Instruments, 3rd floor, 1:30 p.m. Mondays and Fridays—keyboard; Wednesdays—lute and guitar; Thursdays—folk.

**Music Machines—American Style.** Mechanical and electronic music machines. Mondays through Friday, 1 p.m., 2nd floor. As part of this exhibit, excerpts from musical films are shown continuously.

#### RADIO SMITHSONIAN

Radio Smithsonian, a program of music and conversation growing out of the Institution's many activities, is broadcast every Sunday on WGMS-AM (570) and FM (103.5) from 9-9:30 p.m. The program schedule for December:

2nd—*Bill Monroe In Concert.* The father of bluegrass music performs with his group, The Bluegrass Boys, and two guest fiddlers, Charlie Smith, and Tater Tate.

9th—*Exploring the Mediterranean.* Smithsonian oceanographer Daniel Stanley describes the Mediterranean's brief geologic history and present threats to its vitality. *A Visitor from Bhutan.* A talk with Mynak Rimpoche, a Buddhist lama who heads the National Museum of Bhutan, in the Himalayas.

16th—*The Shaker Way.* A look at Shaker life and crafts, with Mrs. Faith Andrews, a leading expert on Shaker culture, and Sister Mildred Barker, one of 14 remaining Shakers.

23rd—*Wilson's Living Memorial.* Dr. James Billington, new Director of the Woodrow Wilson International Center for Scholars, talks about plans for the Center's future. *Fighting Lassa Fever.* Smithsonian curator Henry Setzer describes the efforts to curb Lassa fever, a serious disease carried by African rats.

30th—*Concert,* featuring 19th-century American music, performed by the American Music Group.

#### DOMESTIC STUDY TOURS

For further details write Mrs. Kilkenny, Room 106-SI, Smithsonian Institution, Washington, D.C. 20560.

*Hawaiian Islands:* Jan. 17-31.  
*Sturbridge Village, Massachusetts:* Jan. 25-27.

*Baja California Whale Observation Cruise:* Feb. 4-11. (Waiting list only.)

*Georgia Mound Builders:* Feb. 18-24.  
*San Antonio, Texas, Fiesta:* April 21-28.

#### PUPPET THEATRE

##### Arts and industries building

**Patchwork.**—an original anthology of children's songs, poems and stories centered this month around the holiday theme. Performed by the puppets and people of Allan Stevens and Company. Wednesdays-Fridays, 10:30, 11:30 a.m., Saturdays and Sundays, 11:00 a.m., 12:30 and 2:30 p.m. Admission: \$1.25 children or adults; \$1 Smithsonian Associates: 75 cents, groups of 25 or more. For reservations call 381-5395. Tickets, as available, will be sold at the time of performance. Special Christmas week performances: December 26-30, three shows daily at 11 a.m., 12:30, 2:30 p.m.

**Dial-A-Museum.**—737-8855 for daily announcements on new exhibits and special events.

**Dial-A-Phenomenon.**—737-8811 for weekly announcements on stars, planets and worldwide occurrences of short-lived natural phenomena.

#### MUSEUM TOURS

##### Museum of History and Technology

(No tours December 22-January 1).

Highlights: Weekdays, 10:30 and 11:30 a.m., 1:30 p.m. Weekends, 10:30 a.m., 12 noon, 1:30 and 3 p.m.

First Ladies' Gowns: Monday-Friday, 10:30 and 11:30 a.m.

200 Years of Needlework: Tuesdays only, 10:15 a.m. Begins at the Star Spangled Banner exhibit.

##### Museum of Natural History

(No tours December 22-January 6).

Highlights: Weekdays, 10:30 a.m., 12 noon (noon tour may be delayed)

Calendar Requests: Mail to Central Information Desk, Great Hall, Smithsonian Institution Building, Washington, D.C. 20560. For changes of address, include mailing label.

Deadline for January calendar entries: December 5. The Smithsonian Monthly Calendar of Events is prepared by the Office of Public Affairs. Editor: Lilas Wiltshire.

#### HOURS

Open 7 days a week—Closed Christmas Day.

Arts and Industries Building, Freer Gallery of Art, National Collection of Fine Arts, National Air and Space Museum, National Museum of History and Technology, National Museum of Natural History, National Portrait Gallery, The Renwick Gallery, Smithsonian Institution Building—10 a.m.-5:30 p.m.

Anacostia Neighborhood Museum—10 a.m.-6 p.m. Monday through Friday; 1-6 p.m. weekends.

National Zoo Buildings—9 a.m.-4:30 p.m.

#### EXPERIMENTARIUM

Stars of Christmas: Past and Present. A look at the first Christmas and what the Star of the Magi might have been; the 1968 Christmas when Apollo 8 was orbiting the moon; and Christmas 1973 when the skies will include four visible planets, the Pioneer 10 Probe, Skylab, Comet Kohoutek, and the normally bright winter stars. Tuesdays through Fridays, 4:30 p.m., Saturdays and Sundays, 11 a.m., 12 noon, 1, 2, 3 and 4 p.m. Additional showings may be scheduled. Call 381-6264 to verify schedule. The Experimentarium, located in the National Air and Space Museum, is a prototype of the Spacearium to be opened by the Smithsonian in 1976.

Use of funds for printing this publication approved by the Director of the Office of Management and Budget, June 3, 1971.

#### FOOTNOTE

\*Indicates activities sponsored by the Smithsonian Resident Associate Program. Information on the purchase of tickets for these activities may be obtained by calling 381-5157. Tickets should be purchased in advance. When available and appropriate, tickets may be sold at the time of an event.

#### STATE OF THE UNION ADDRESS BY ARNOLD MILLER, PRESIDENT UMWA

#### HON. KEN HECHLER

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. HECHLER of West Virginia. Mr. Speaker, the United Mine Workers of America are presently in the midst of the second week of a history-making convention. The rank and file miners are for the first time in history exercising

their full rights and International President Arnold Miller in his state of the union address set the focus for the convention. His remarks were greeted by several standing ovations, frequently interrupted by applause, and enthusiastically received by the delegates. Among other Members of Congress, I was honored to attend the UMWA Convention in Pittsburgh. The prestige of the United Mine Workers of America has never been so high, and the leadership of the UMWA has never been so well respected by the coal miners of this Nation and Canada. The UMWA is an inspiration to the trade union movement and to working people all over the world.

The text of President Miller's address follows:

STATE OF THE UNION ADDRESS BY ARNOLD MILLER, PRESIDENT, UNITED MINE WORKERS OF AMERICA, DECEMBER 3, 1973

Less than one year ago, I stood before a smaller group of United Mine Workers to take my oath of office. I told the coal miners gathered in our union headquarters that from that day on every coal miner would know that this is his union. I told them the United Mine Workers of America belongs to the rank-and-file.

A year ago that statement was a hope and a promise. Today, as I look out on this proud assembly of coal miners at the 46th United Mine Workers Convention, I believe it is no longer a hope, but a reality.

Among the delegates here today, I see miners who travel six miles beneath the ocean to mine the coal along the Nova Scotia shore. And I see men who mount their bulldozers and endloaders to mine the coal that fuels the steel furnaces of Birmingham, Alabama.

I see miners who work the thick seams of coal beneath our western plains and other miners who follow the curving paths of anthracite coal in eastern Pennsylvania.

Some of the United Mine Workers at this convention have lived and worked in the same hollows of West Virginia as their families before them for generations. And other mineworkers in this hall still speak the native tongue of their European homelands.

Among us today are coal miners whose grandfathers helped tame the western frontier and coal miners whose grandfathers were freed from slavery by a President named Lincoln.

I see here today coal miners who have different shades of skin and who speak with varied accents.

But when I look deeper, I see the finest group of working men in the world—bar none—the United Mine Workers of America.

And, as your president, I stand before you and proudly say to every coal miner in this hall—this is your union. The United Mine Workers of America belongs to the rank-and-file.

We have been through a rich and rewarding year together and we have achieved much we can be proud of.

For the first time in four years our Welfare and Retirement Fund reported a surplus. As a result, we have taken the first steps toward repaying the debt we owe to disabled coal miners and widows and guaranteed that in the future no disabled miner will be abandoned without medical care.

In the past year, we have revived our Safety Division and staffed it with trained, committed coal miners dedicated to preventing injuries and deaths in the mines.

And the Organizing Division, under Vice President Trbovich, has begun the long, hard fight to reverse the steady increase of non-union coal in this country.



Secretary-Treasurer Patrick has slashed luxury spending at the International since he assumed office and opened up our union's finances to public view. Under his direction, your dues money has been spent for the welfare of the membership or it hasn't been spent at all.

This past year the United Mine Workers formed COMPAC—the Coal Miners Political Action Committee—and the miner's voice is once again being heard in the Congress and in our state legislatures.

We have formed a credit union that puts coal miners' money to work for coal miners. And we've made the United Mine Workers Journal into the most open, and the most informative, labor paper in the country.

I'm proud of the progress we have made in these areas. But, to me, our greatest achievement this past year was the return of democracy to our union.

The 15 district elections this year went so smoothly and turned out so well that we might not realize just what we've accomplished.

But last December, you could count on one hand the number of district and International officials who owed their office to a vote of the membership. Today, all but a handful of our district presidents and executive board members have stood the challenge of election and come through with a mandate from the rank-and-file. And by contract time, I expect that every official in the union from top to bottom will have been popularly elected.

The district elections we've gone through have been a great test of our strength as a union. Each contest was hard fought. And each pitted against one another candidates with differing views about how our union should be run. But when the campaigning was over and the votes were in, we closed ranks and remained what we have been for 83 years—a union of coal miners, one and indivisible.

The U.M.W.A. not only survived the challenge of democracy, we profited from it. For we proved to ourselves, and to the rest of the labor movement, that the United Mine Workers of America can open itself up to all points of view and come out the stronger for it.

In the years ahead, we will have to draw on that strength to meet the great challenges facing our union.

We face the challenge of our upcoming contract negotiations which hold out the prospect of important gains for our members. But contract negotiations at which the operators will be testing our unity as never before.

We face an energy crisis which offers hope of more jobs and increased benefits. But an energy crisis which some operators will try to exploit as an excuse to take additional shortcuts with our safety.

We have the opportunity to organize the 50,000 non-union coal miners who produce over 100 million tons of coal each year. But we face the challenge of powerful corporations which would like to see that share of non-union coal increase.

And we face the challenge of a labor union in the 1970's grappling with the complex social and political issues of our times.

Much of the task of this convention is to find ways to meet these challenges. In the next 11 days, we'll be asking ourselves who we are and where we are going. And how do we get there from here.

So perhaps it's time to pause and remember where we've been and what we've done.

Back in 1890, when our great-grandfathers organized the U.M.W.A., the nation ran on coal. And those first United Mine Workers said so in our union's charter. Here's how they put it.

"There is no fact more generally known, they wrote, than without coal there would not be any such grand achievements and

blessings as those which characterize the present day civilization."

And what those early United Mine Workers wrote was true.

The railroads which opened up the West ran on the coal we mined and so did the nation's first battleships.

The coal we produced heated America's homes and fired its blast furnaces.

With picks and shovels, hundreds of thousands of United Mine Workers mined the coal that provided electrical power to a booming country. And, in the process, we died by the thousands in fires in explosions and in collapsing mines.

The coal we produced formed the cornerstone of America's great steel and plastics and chemical industries. And as we lay on our sides hand loading for 40 cents a ton, great financial empires were built on our labor.

We helped dig a nation out of a depression. And when it went to war we worked around the clock in an industry so dangerous that the Geneva Convention said you couldn't force a prisoner-of-war to work in a coal mine.

Throughout our nation's history, coal miners have been the front line troops of its industrial growth. We bore the most casualties and we worked in the most wretched conditions. And in times of crisis, we were always called on first to come to the Nation's aid.

Now it is 1973 and we face an energy crisis. And once again, the Nation is calling on its coal miners for help.

We accept that call as we have in the past. But this time there is a difference. And we take the occasion of this 46th United Mine Workers Convention to proclaim it to the coal industry and to the nation as a whole.

I'll make it simple and to the point. The pick and shovel days are over.

Coal miners today are skilled industrial workers in the pivotal energy industry of the 70's. Increasingly, coal miners are younger men. Many among our ranks are Vietnam veterans.

But, I believe, I speak for all our members when I say that no coal miner today is willing to repeat the history of his father and his grandfathers who labored their lives away in the bowels of the earth to fuel this nation's progress and reaped as their reward a back bent like a stunted tree and lungs that wouldn't work because they were full of coal dust.

The pick and shovel days are over. And we intend to let the coal industry know it in our next contract.

When I think about our contract, it strikes me as ironic that the unions which the United Mine Workers helped build have passed us by in recent contract gains.

United Mine Workers manpower and money built the steelworkers union, the autoworkers, the rubber workers, and many others. Now 40 years later these same unions have won benefits that coal miners do not enjoy.

The steelworkers won a cost-of-living and a paid 13 week vacation every five years in one of their recent contracts. Autoworkers won limits on involuntary overtime and four hundred and fifty dollar a-month pensions. A rubber worker who misses work because of sickness, has financial protection built into his contract.

But what did we coal miners win in recent contracts? We won a wage increase that lets us stay in about the same place on the economic treadmill. For fringe benefits, we got soap in the bathhouse in 1968 and a clothing allowance in 1971. One miner told me he expects the operators will offer us a washing machine in 1974.

Well, I have news for our friends at the Bituminous Coal Operators Association. Soap in the bathhouse isn't good enough for United Mine Workers anymore.

Two things are predictable in the 1974 negotiations. We're going to ask the operators to contribute more for our welfare. And the operators are going to turn their pockets inside out, stare down at the floor, and tell us they can't afford to.

I was raised in the coalfields and I've been a coal miner all my life. But I've never heard a coal operator claim he was making any money.

To hear the operators tell it, the coal industry is the oldest, non-profit organization in the nation.

Don't you believe it. In the first place, most of us don't work for the coal industry any more. We work for the giant corporations which own coal mines—we work for oil companies, power companies, and steel companies.

If you run a continuous miner for Consolidation Coal Company, you really work for Continental Oil. Their profits in 1972 were one hundred and seventy million dollars. That's even more than President Nixon's reelection committee took in.

A coal miner who runs an endloader for Peabody Coal Co. is an employee of Kennecott Copper. In the first quarter of this year, Kennecott made profits of more than twenty eight million. That's a 55 per cent rise over the year before.

If you run a buggy for Central Ohio Coal Co., your boss is American Electric Power Co. They pulled in profits of one hundred seventy million last year.

The steel companies we work for aren't exactly on the skids either. U.S. Steel earned \$156 million in 1971 and Bethlehem took in one hundred thirty four million.

Even the few remaining independent coal companies have dollar signs in their eyes. Coal that was selling for fifteen dollars and seventy-seven cents a ton in January is selling for twenty dollars a ton today. And the energy crisis ensures that it will be a seller's market for years to come.

The boys in the company boardrooms can afford to give coal miners a cost-of-living clause that will keep us one step ahead of galloping inflation. And in 1974 we're going to ask them for one.

The multi-billion corporations we work for can afford to give us sick pay so that if a miner gets sick, the man from the finance company won't be on his way to pick up the car or the trailer. And in 1974, we're going to ask them for sick pay.

The energy industries which look forward to such profitable futures can afford to contribute more to our Welfare and Retirement Fund so coal miners can look forward to their futures too. And in 1974 we're going to ask them to contribute more.

The United Mine Workers intends to be reasonable in its negotiating demands next year. But coal miners have a lot of lost ground to make up. And we intend to recover a good piece of it in November.

Our final collective bargaining goals will be determined by the delegates to this convention. But let me just say a word about who will sign the contract we negotiate.

I worked a total of 24 years in the mines. Vice President Trbovich worked 25 years, and Secretary-Treasurer Patrick worked 18. But none of us worked a day under a contract we had any real voice in.

Now we're out of the mines and the contract negotiated next year will no longer set the terms of our employment. That is why we don't intend to sign it without your approval.

Any agreement we arrive at with the BCOA will be put to a vote of the rank-and-file. If they don't vote for it, we won't sign it. That's the only way to guarantee that the men who go into the pits and drive the dozers will work under a set of rules and benefits they helped write.

I make you one other pledge about our next

contract. You won't have to be trained in a foreign language to understand it. I don't know what they call the language our past contracts were written in. But I know that the only people who can read it are coal operators and Philadelphia lawyers.

This time we're going to write the contract in coal miner's language. That way, when you and that coal company lawyer get eyeball to eyeball on a grievance case, you won't need an interpreter to know what your rights are.

Let me turn now to a topic that shouldn't have to come up at a United Mine Workers convention—safety in the mines.

I said before that the pick and shovel days are over for coal miners. But if you look at the way a lot of companies run their mines, you'd never know it.

One would think that a nation which can send a man into outer space for a month and bring him back safely could send a man into a coal mine for 8 hours and bring him back safely too.

But it doesn't happen. And I've never heard a good reason why.

If every coal miner sitting here today stood up who has carried the dead or broken body of a fellow miner from the mines, hardly a chair would remain filled in this hall. And while we deliberate at this convention these 11 days, surely as the day is long, a miner will die in the coal mines. And a dozen others will be crippled.

In the 73 years that make up this century, 100,000 of us have been killed in the mines. And when I say 100,000 I want to emphasize to the public that I'm not talking about statistics in a Bureau of Mines study. I'm talking about the fathers and grandfathers of men sitting in this hall. I'm talking about our brothers and our sons.

I'm talking about 100,000 men who loved their children and looked forward to watching them grow up, but 100,000 men who never came home from the mines one day because they were blown up in an explosion or crushed by tons of rock or mangled by mine machinery or smothered in the fumes of an underground fire.

The coal industry tells us they regret these tragedies. But, coal mining is dangerous work they say. And accidents happen.

They say it's a tragedy that a 21 year-old boy like Kenny Holland got caught in a conveyor belt and run through its rollers until his neck broke as happened last April in a Peabody Coal Company mine in Kentucky.

They say accidents like that are part of the risk of being a coal miner. But the federal investigation into Kenny Holland's death says something different. It says that Kenny Holland died because Peabody Coal Co. wouldn't spend twenty dollars, as required by law. To put a protective guard over the conveyor belt that killed him.

The claim that accidents are simply a part of mining sounds convincing to an untrained public. But it fails to explain some stubborn facts.

If miners become disabled and die simply because coal mining is dangerous work, why are miners injured 18 times more often in coal mines operated by the Pittston Co. than in mines run by U.S. Steel where an honest effort is made to promote safety? Why do Eastern Associated Coal Company mines kill men 13 times more frequently than Bethlehem coal mines where new men receive extensive training in safe mining practices?

Deaths in the mine are not the work of fate and the cure for mining accidents is no secret. It's been known for years. Listen to what the Bureau of Mines wrote back in 1943. And I quote.

"The situation is so grave that serious thought and relatively quick action are demanded if the coal industry is to avoid the stigma of a national, even a world-wide, scan-

dal because of the callousness with which the lives of its workers are being sacrificed."

Thirty years ago the Bureau of Mines called for "relatively quick action" by the coal industry to halt the slaughter of miners. And miners have been waiting for it ever since.

We waited through 23 dead at the Sunny-side mine in Utah and 47 dead at Old Ben No. 8 in Illinois. We waited while 13 miners were killed in a single accident in the King mine in Indiana and another 11 died in the Edgewater mine in Alabama.

We waited through 119 dead at Centralia and 37 dead at Robena No. 3. We waited through Hyden and Farmington and Buffalo Creek. And then Blacksville and then Itmann.

In the 30 years we waited for that quote "relatively quick action" from the coal industry, fifteen thousand, seven hundred and nineteen coal miners lost their lives in the mines. And more than three-quarters of a million were injured.

We can't afford to wait any longer.

We can't afford to wait until the coal industry develops a conscience. We can't afford to wait until the Bureau of Mines—now called MESA—recognizes that its mission is to protect coal miners—not strike a balance between safety and profits.

And we don't intend to wait any longer. Coal miners have never had anything handed to them. The enforcement of safety is no different. It's up to us.

We must elect our best and toughest men to our safety committees. If you've heard the popular song about Leroy Brown—the one who's meaner than a junk yard dog—that's the kind of man we need.

We have to find the means to put a safety committeeman on every shift at every mine so no group of miners will have to wait to correct a dangerous condition. And we must continue the training program launched by the Safety Division so that every member knows what our safety laws provide.

The International Safety Division and the field inspectors under Vice President Trbovich are available at all times to assist your safety committeemen.

Our legal staff will defend your right to walk out of an unsafe mine and will prosecute companies and foremen who violate mine safety law.

And you will have full backing from our district safety coordinators.

And before any operator charges that our safety effort is an obstacle to increased productivity, I challenge him to prove it. I worked in over a dozen mines in my lifetime and I always found that the safest mines are the most productive. But whether safety reduces production or whether it does not, we don't intend to bargain away our lives for a few more tons on the day.

The United Mine Workers of America is going to enforce safety to the letter with no ands, ifs, or buts. And if that is not acceptable to some coal operators, then they had better find a new way of making a living. Because coal miners in West Virginia and Kentucky and Pennsylvania are tired of dying so that men in the boardrooms of New York and Boston and Pittsburgh can get rich.

Speaking about corporations getting rich brings to mind another challenge facing the United Mine Workers—the energy crisis.

I don't pretend to be an expert on the energy crisis, but I know some things from common sense.

One of them is that contrary to what President Nixon told the American people in his energy message, this country is not running out of energy.

We face fuel shortages today because, as a nation, we have relied heaviest for our energy needs on the fuels we have very little of—namely oil and gas—and we have ignored the one fuel we have in great abundance—coal.

To understand the absurdity of our present position you need only recall that during World War II Germany ran a good part of its

war machine on oil derived from coal. Thirty years later, the United States is running out of oil but sits like a helpless giant on top of the world's largest coal reserves because we lack the technology and plant facility to develop them.

Beneath our feet lie 1.3 trillion tons of coal. That's enough to fuel our nation for the next 600 years.

But though coal represents about 77 per cent of all the energy resources we have in this country, we only use coal for 18 per cent of our energy needs. Oil and gas make up at most 17 per cent of the country's energy reserves. But we rely on oil and gas for more than 75 percent of the nation's energy.

The question is—who designed this upside down system of allocating the nation's energy resources. There are a lot of answers and I don't know all of them. But here are a few.

Exxon, Gulf, Atlantic-Richfield, Mobil, Occidental, Continental, and Shell.

For 20 years we let the oil industry determine our energy development in this country. And not surprisingly the decisions they made were very good for oil companies. They included an oil depletion allowance and special tax loopholes for foreign oil. Their decisions squeezed out independent refiners and distributors. And they led to monopoly control over energy resources and discouraged development of competing fuels.

The energy policy they pursued reaped great profits for the oil interests. Now the public is paying the piper.

There are no miracle cures to the energy crisis we now face. But clearly we have to take immediate steps to develop our underground coal reserves, to promote sulphur control technology and to find improved ways of turning coal into oil and natural gas. We must take vigorous action to break the stranglehold a few giant companies hold over our energy resources.

In the weeks to come our union will be making some concrete recommendations along these lines.

But one point must be stressed now. We will never solve the energy crisis as long as we allow corporate interests to dictate the nation's energy policies.

Yet, apparently, that's just what President Nixon intends to do.

While the President offers us makeshift solutions like turning down our thermostats, he leaves the long-range decisions on energy to the people who got us into this mess in the first place.

Just last week the administration announced it is bringing 250 oil executives to Washington to alleviate the energy crisis. You've heard the old saying about foxes in the hen house? Well, now we've got wolves in the White House. I've never seen a more sure-fire formula for disaster.

But the President is not panicky about the energy crisis. Just the other day he told the Seafarers Union that despite rough seas he's one captain who has a steady hand at the helm.

That sounds reassuring. But I've got an eerie feeling that the Captain of the Titanic said the same thing right before he rammed the iceberg. And I'm afraid our future will be no more secure than that ill-fated ship unless the public interest begins to be represented in the energy debate.

Unfortunately, in the energy crisis, as in so many vital issues in Washington today, the voice of the public remains a voice crying in the wilderness.

While we're on the subject of the nation's chief politician, let me say a word about some other politicians that mineworkers are interested in—coalfield politicians.

When I think about coalfield politicians, I think about the early mining days.

In the old days, horses hauled coal in the mines and many companies kept stables underground. They raised their horses in those



underground stables and some of them never saw the light of day.

Sometimes I think that some of our coal-field politicians wish that coal miners would stay underground like that and never see the light of day. Then, on election day they could send the ballots down on the mantrip, let us mark our x, and forget about us for another four years.

Well, unfortunately for some of our politicians, coal miners have seen the light of day. We saw it in West Virginia five years ago when we fought for black lung legislation.

In that fight, we were up against most of the state's doctors, the compensation lawyers, and the coal industry. So we shut the mines down for three weeks, and went calling on the legislature. And we didn't leave until we got what we came for.

We got a black lung law out of that fight and we learned a powerful lesson. That if coal miners organize and work as one we don't have to settle for politics-as-usual in the coalfields.

And we don't intend to settle for politics-as-usual any more. We do not accept as our plight that coal mining families live on some of the most valuable real estate in the world but can't get their roads paved or sewers installed or send their children to the best schools or fish in clear streams.

We're tired of paying our fair share of property taxes and watching the coal companies pay whatever they want. And we are no longer willing to stand by silently as profits are drained from our states and slag heaps and fallen tipples are left in their place.

The United Mine Workers has a new legislative Department—COMPAC. And we expect that before too long, COMPAC will be a household word in our legislatures and in the halls of Congress.

In the future, we will expect to see our political representatives—not just at a Labor Day rally—but when the crucial vote comes up on mine safety legislation, tax reform, and national health care. The United Mine Workers will be a familiar name to the major congressional committees also, for we intend to testify at every hearing on legislation that affects our interests as coal miners and as citizens.

And finally, miners are going to start running for public office themselves. We proved this year that coal miners can run an International union. In the years to come, I think we'll prove that coal miners can help run a State legislature, too, or a Congress.

To put it simply, the United Mine Workers of America intends to make politics-as-usual the policies of the past.

There are many other issues facing our union which I could discuss with you today. Some of them, such as organizing and the need to revive the anthracite industry, will be addressed by my fellow officers before this convention. And rather than go down in history as the first United Mine Workers president who spoke to an entire hall of sleeping coal miners, I will say just a few words about the work of this convention before I close.

Nothing is more vital to the future of our union and no business before this convention is more important than the changes you enact in the United Mine Workers constitution.

For it is not enough to write the words "rank-and-file" on the banner at the front of this hall. Those words must be etched into our constitution so deep that they can never be erased.

Towards that end, your International officers have recommended to the constitution committee a broad charter of rights and freedoms.

We have recommended that all future candidates for International office receive equal space in our Journal to present their views to the membership. And that every candidate

be guaranteed a secret ballot election, an honest vote count, and the right to station observers in all polling places.

We have suggested that rank-and-file ratification be made a permanent constitutional right not subject to the whims of some future president or executive board. And we have called for checks and balances on the power of the International that will safeguard the autonomy of our districts.

All the changes we have recommended have one aim—to return this union to the membership.

But none of them will guarantee that it will happen as long as our union headquarters remains far from the membership.

For as recent events in Washington have shown all too clearly, when leaders become isolated from the people they are supposed to serve, the people suffer grievously and corruption is the order of the day. That is true for leaders of the United States and for leaders of the United Mine Workers.

To understand the problems of a man who works eight hours a day in a coal mine you have to remember what coal dust tastes like. To represent the interests of miners, you have to see a slag pile outside your window, not a skyscraper. To lead the United Mine Workers of America you can't be shielded from the look in a woman's eye while she waits for a husband trapped in a mine explosion.

No matter how committed to the membership your future officers are, as long as they live and work far from the coalfields the danger remains that they may lose touch with what this union is all about—200,000 men who've spent their working lives digging coal.

That is why we have to bring our union headquarters back to coalfields.

It's not that Washington, D.C. is such a bad place. There just aren't any coal miners there. And that's all we need to know to realize that Washington, D.C. is not where the United Mine Workers belongs.

In closing, I can't help thinking that for better or for worse both the past and the future of the United Mine Workers is somehow linked to that shiny black substance it took millions of years to create—coal.

A miner up in District 26 summed up our relationship to coal this way.

God made the coal and he hid it, the old miner said. Then some fool found it and we've been in trouble ever since.

And it's true that coal has been both a blessing and a curse.

For the nation, coal has provided the blessings of modern civilization—fuel, electricity, chemicals, and steel.

But for the miner, too often, coal has meant the curse of black lung, slag heaps, rivers of acid, and an early grave.

Now the time has come to bring the blessings of coal—not merely to the nation and the giant corporations—but to the men who mine it.

Those blessings won't come easily if history is any guide, and our union has many challenges to overcome before they will truly be ours.

But I have no doubt that history is on our side and that United Mine Workers are equal to any challenge we face.

For coal miners have always been bound together by something more than membership in the same organization.

We've stood on the same picket line through many a cold winter and traded at the same company store. We fought off the gun-thugs and we turned back the strike-breakers.

And when the roof fell, trapping us inside we never knew which of us would leave the mine alive.

We breathed the same coal dust and we cursed the same bosses. And when we went to the union hall we call each other brothers. Because that is what we are.

Thank you.

## HOMEOWNER ENERGY CONSERVATION AMENDMENTS TO H.R. 11450

HON. WILLIAM S. COHEN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. COHEN. Mr. Speaker, tomorrow H.R. 11450, the Energy Emergency Act, will be brought to the House floor for debate. At that time I intend to offer two amendments to provide assistance and encouragement to homeowners who wish to make energy-saving improvements to their residences.

My first proposal amends the Internal Revenue Code to permit the owner of a residence to deduct from his taxable income expenditures made to improve the efficiency of heating his home and to reduce heating losses. I anticipate that this tax incentive will be generally utilized for less expensive energy conservation measures where the homeowner has the cash available, but needs the additional encouragement to undertake the project which the tax deduction can provide. Such improvements might include adding storm doors and windows or placing more insulation in unfinished attics. I might point out that these measures can reduce heating losses by 10 to 20 percent.

The second amendment establishes a direct low-interest loan program. This program would be especially valuable for the homeowners who find that bringing their residences to an acceptable level of heating efficiency will involve a considerable expenditure. Usually, this situation will occur in the older of more cheaply constructed residences, and as we know, these homes are most frequently owned by those least able to afford these costs. The loan program would provide these owners with the necessary funds at the time the improvements were made. The loans would carry a 5-percent annual interest rate and would run for up to 10 years. Since it has been estimated that energy-saving improvements can pay for themselves within several years, I expect that the reduction in fuel costs alone would more than cover the monthly loan payments.

The rationale on which these proposals are based is very simple: the benefits to the Nation in energy conservation—much less the improved quality of housing in this country—far exceeds the modest Federal costs involved. Consider these facts. Heating our residential buildings now accounts for 11 to 12 percent of our national energy consumption. It has been estimated that because of inadequate construction and poor heating plant performance, up to 40 percent of the energy we consume is being wasted. The vast majority of our homes are literal heat sieves where quantities of heat laboriously manufactured in the home furnace promptly escape through the walls, windows, doors, and roofs. An uninsulated house of average size can waste up to 700 gallons of fuel a year; a partially insulated house, 200 gallons a year. The average home furnace today is supposedly designed to operate at 70 to 75 percent efficiency; in actual operation, how-

ever, its efficiency frequently drops to about 35 to 50 percent. Simple preventive maintenance and the implementation of technological improvements in the heating field, such as better ducting and temperature controls and even heat exchangers, could do a great deal to restore or even improve upon the originally designed efficiency.

In return for saving up to 4 or 5 percent on our national energy consumption, the Federal costs would be minimal. In the loan program the cost would only be the difference between the subsidized and market rates of interest. In the tax program it would be the amount of revenue lost because of the fractional reduction in taxable income. It is my opinion and I hope it is yours that the benefit-to-cost ratio of these proposals is very high and that the amendments warrant consideration by the full House on that basis alone.

In concluding, I would like to note one or two other important aspects of these amendments. First, as I am sure you have noticed, the basic approach to energy conservation in H.R. 11450 tends to be negative and restrictive, gasoline rationing, transportation controls, et cetera. While I recognize the necessity of such provisions, I also feel it is incumbent upon the Congress to adopt, as well, some positive approaches to meeting the energy crisis and ones that can reach and be understood by the average citizen.

Finally, as you are probably aware, provisions similar to my amendments have already passed the Senate in S. 2589. Since the energy legislation will almost certainly go to conference, it would seem to me that the wisest course would be to allow such provisions to be considered during the House debate. The House conferees would then be better able to reflect the views of the House on these proposals and we would avoid the procedural difficulties involved in retaining in a conference report provisions not originally considered by the House.

The text of the amendments follow:  
SEC. 125. HOMEOWNERS' ENERGY CONSERVATION LOAN PROGRAM.

(a) AUTHORIZATION OF LOANS.—

(1) In order to carry out the purpose of this section the Secretary of Housing and Urban Development (hereinafter referred to as the "Secretary") is authorized to make loans as provided in this section to individuals and families owning and occupying one- to four-family residential structures, and to other owners of residential structures of any type, to assist them in purchasing and installing qualified insulative materials and/or qualified heating equipment (as defined in section 4) in such structures.

(2) A loan made under this subsection with respect to any residential structure shall—

(A) be in such amount as may be necessary to meet the maximum desirable insulation standards for controlling heat loss, cooling loss, and infiltration and/or to reach the maximum desirable heating efficiency in the case of structures of the size and type involved, taking into account the climatic, meteorological, and related conditions prevailing in the region where the structure is located, as established by the Secretary in regulations prescribed by him and in effect at the time of the loan;

(B) bear interest at the rate of 5 per

centum per annum on the outstanding principal balance;

(C) have a maturity not exceeding ten years; and

(D) be subject to such additional terms, conditions, and provisions as the Secretary may impose in order to assure that the purpose of this Act is effectively carried out.

(3) Each application for a loan under this subsection shall be accompanied by detailed plans for the purchase and installation of specified insulative materials and an estimate of the costs involved. No such application shall be approved unless the Secretary finds that the proposed insulation is reasonable and will be effective, that the costs will not be excessive, and that the insulation will not be of elaborate or extravagant design or materials.

(B) DEFINITIONS

(1) QUALIFIED INSULATIVE MATERIALS.—For purposes of this section, the term "qualified insulative materials" means any material or item which, as determined by the Secretary after consultation with the National Bureau of Standards, is capable of achieving a significant reduction in heat loss, cooling loss, or infiltration when properly installed in a residential structure under the prevailing climatic, meteorological, and related conditions. Such term includes (without being limited to) glass and plastic storm windows and doors, flexible and fill insulation, blown insulation, and any other material or item which is approved by the Secretary as being useful and effective for the insulation of ceilings, floors, walls, windows, or doors.

(2) QUALIFIED HEATING EQUIPMENT.—For purposes of this section, the term "qualified heating equipment" means any item, fixture, or equipment which, as determined by the Secretary after consultation with the National Bureau of Standards, is capable of and designed for improving the operating efficiency of a heating plant in a residential structure. Such term includes (without being limited to) heat exchangers, ducting, and any other item, fixture, or equipment which is approved by the Secretary as being useful and effective for improving the operating efficiency of a heating plant in a residential structure.

(c) DISSEMINATION OF INFORMATION

The Secretary shall provide to any person upon his or its request (without regard to whether or not such person is making or proposes to make application for a loan under section (3) full, complete, and current information concerning recommended standards and types of insulative materials and heating equipment appropriate for use in residential structures of varying sizes and types and in various regions of the country.

(d) In the performance of, and with respect to, the functions, powers, and duties vested in him by this Act, the Secretary shall (in addition to any authority otherwise vested in him) have the functions, powers, and duties set forth in section 402 (except subsection (a) and (c) (2)) of the Housing Act of 1950.

(E) APPROPRIATIONS; REVOLVING FUND

There is authorized to be appropriated the sum of \$10,000,000 to provide an initial amount for the program under this Act, and such additional sums thereafter as may be necessary to carry out such program. Amounts appropriated pursuant to this section shall be placed in and constitute a revolving fund which shall be available to the Secretary for use in carrying out this Act.

SEC. 126. TAX INCENTIVES FOR ENERGY-CONSERVING HOME IMPROVEMENTS

(a) (1) part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to itemized deductions for individuals and corporations) is amended by adding at the end thereof the following new section:

"SEC. 189. EXPENDITURES FOR HOME INSULATION AND HEATING EQUIPMENT

"(a) IN GENERAL.—There shall be allowed as a deduction any expenditures made by the taxpayer during the taxable year for the purchase and installation, in his home or in any other residential structure owned by him, of qualified insulative materials or qualified heating equipment.

"(b) DEFINITIONS.—For purposes of this section—

"(1) QUALIFIED INSULATIVE MATERIALS.—The term 'qualified insulative materials' means any material or item which, as determined under regulations prescribed by the Secretary or his delegate in accordance with standards developed and prescribed by the National Bureau of Standards, is capable of achieving a significant reduction in heat loss, cooling loss, or infiltration when properly installed in a residential structure under the prevailing climatic, meteorological, and related conditions. Such term includes (without being limited to) glass and plastic storm windows and doors, flexible and fill insulation, blown insulation, and any other material or item which (under such regulations or standards) may be useful and effective for the insulation of ceilings, floors, walls, windows, or doors.

"(2) QUALIFIED HEATING EQUIPMENT.—The term 'qualified heating equipment' means any item, fixture, or equipment which, as determined under regulations prescribed by the Secretary or his delegate in accordance with standards developed and prescribed by the National Bureau of Standards, is capable of and designed for improving the operating efficiency of a heating plant in a residential structure. Such term includes (without being limited to) heat exchangers, ducting, and any other item, fixture, or equipment which (under such regulations or standards) may be useful and effective in improving the operating efficiency of such a plant.

"(c) REGULATIONS.—The Secretary or his delegate shall prescribe such regulations as may be necessary to assure that insulation and heating equipment with respect to which deductions are allowed under this section are effective for their intended purposes and are not of elaborate or extravagant design or materials."

(2) The table of sections for part VI of subchapter B of chapter 1 of such Code is amended by adding at the end thereof the following new item:

"Sec. 189. Expenditures for Home Insulation and Heating Equipment."

(b) The amendments made by the first section of this Act shall apply only with respect to expenditures made after December 31, 1972, in taxable years ending after such date.

NO CRISIS IN THE AMISH COUNTRY

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. GAYDOS. Mr. Speaker, we Members of Congress from Pennsylvania are happy to report that not all of our State's citizens are up tight about the energy crisis. We have hundreds of Amish families who could not care less—personally.

Daniel Fisher, an Amish farmer, told Bill Richards, a newsman, the other day:

It's the rest of the world that's in trouble, not us.



Quaintly enough, Mr. Fisher's farm borders Paradise, Pa.

Those of us who have delighted in driving, at times, through what is known as the "Amish Country" around Lancaster, Pa., and down into Maryland realize what Farmer Fisher has in mind.

The countryside is filled with well-tended farms, many of great value if ever placed on the market and having houses and barns of such size it would cost scores of thousands of dollars to duplicate them. And no one ever has seen an underfed Amishman—or, indeed, a depressed one.

Until now the strict Amishman—member of the "Old Order"—has been looked upon as a hold-out from the good life of America. His beliefs deny him ownership of an automobile. He must eschew electricity in his home. He heats with wood or coal. Television is a "no-no."

But today, with gasoline short, electric power limited, and other fuel supplies in jeopardy, the Amishman suddenly appears as though he may be the man of our immediate future.

Jacob Esh, another Paradise landtiller told newsman Richards:

You jump in the buggy, go where you have to go, and come home. That's all there is to it.

It is that simple for Mr. Esh, Mr. Fisher, and their Amish associates and, as we fret over fuel cutbacks, our changing life styles, and the dire effects both may have on the economy, we can take comfort in the knowledge that some Americans remain complacent and unaffected.

#### ECONOMIC DETERIORATION

#### HON. JAMES M. HANLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. HANLEY. Mr. Speaker, according to the report of the Committee on Ways and Means, one of the stated purposes of H.R. 10710 is to amend and improve the import relief provision of existing trade law in order to assure greater accessibility and more effective delivery of import relief to industries which may be seriously injured or threatened with serious injury by increased imports.

In my judgment, this is one of the most important issues raised by this bill. I do not intend to undertake in these remarks to document in detail what I feel sure every Member of the Congress recognizes—this country faces serious economic problems unprecedented in our history. The value of the dollar has been, is, and promises to continue to be in serious trouble. We continue to incur serious balance of payment disequilibria. This country has been forced to devalue the dollar twice in a rather short span of time. Inflation has not, in my opinion, been adequately checked and contained. Increasing national dependence on foreign energy sources and other strategic commodities appears inevitable, and serves to aggravate our already serious

balance-of-payments disequilibria and these other economic problems.

I do not think I exaggerate the gravity of the situation when I point out that throughout history one of the pervading symptoms preceding the decline and fall of great nations has been economic deterioration of the kind I have just described. The liquidation of the British Empire in this century resulted in large part from economic ailments that are ominously similar to those we are experiencing.

The report of this distinguished committee squarely recognizes that those domestic statutes which endeavor to protect our producers from disruptive market penetrations and unfair trade practices must be made more effective if our domestic producing interests are to have confidence in their ability to survive competitively.

To this end, H.R. 10710 undertakes to develop a new mechanism for legislative-executive cooperation in the area of international trade policy which attempts, among other things, to provide improved import relief procedures to prevent these wholesale, disruptive market penetrations by foreign imports.

With all due respect to this distinguished Committee on Ways and Means which has worked hard and ably to cope with a multiplicity of complex problems, it is my considered judgment that the provisions in title II which attempt to provide import relief, while constituting some improvement over present law, fall short of what is necessary to cope with this problem.

I do not intend to address myself in any detail to the important subject of adjustment assistance to workers or to firms impacted by imports causing serious market penetrations. I do think we must all recognize that while such assistance is critical to the workers and firms affected when these import situations create serious domestic economic dislocations, more emphasis must be given to avoiding or forestalling these dislocations from happening in the first place, and this can be done only if we have prompt and effective deterrents available to stop these import incursions at the threshold before they have their damaging effect on our domestic industries. One of the economic lessons I hope we are learning is that the United States Government cannot go on indefinitely bailing out untenable economic situations by what amounts to subsidizing our mistakes. It makes far more sense to provide procedures by this legislation that enable us to detect and arrest harmful market penetrations of our domestic markets by imports before serious economic harm and dislocation results, rather than wait until it happens and expect the Federal Government to provide adjustment assistance and absorb the economic impact.

I recognize that no system will be foolproof and fully responsive. There will undoubtedly continue to be serious domestic economic dislocations resulting from imports and I certainly favor the availability of adequate adjustment assistance when that happens. Also, I want to

make it clear that I recognize that many domestic industries will have to adapt and change to respond effectively to foreign competition. What is really involved is how to prevent serious economic harm and dislocation during the necessarily lengthy period required to adjust to such import competition in an orderly and effective manner.

Today I want to focus on the single question whether the provisions of title II are adequate to provide a prompt and effective roadblock to harmful foreign imports and provide an adequate period to permit orderly adjustment to such competition.

While I recognize that H.R. 10710 would provide important improvements over existing law as to import relief, and I commend the committee for these improvements, I respectfully contend that title II falls short of providing the safeguards I believe the economic condition of this country requires.

As you know, the proposed administrative machinery to detect and deter injury from imports involves a two stage process: First, an investigation by the Tariff Commission and a decision recommending to the President an appropriate course of action based on the findings of that investigation; second, the actual import relief the President decides to implement.

As to the first step in this procedure, H.R. 10710 would liberalize existing criteria for determining when injury to domestic industry resulting from imports is occurring or threatening to occur. These criteria are important and should be adopted.

In addition, title II would provide stricter and more expeditious time limits within which import relief procedures must be considered and decided upon. This is likewise important and I feel serious consideration should be given to whether these time limits could not be structured to provide even more expeditious consideration and relief.

Mr. Speaker, the crucial part of this two stage administrative mechanism is what the President does or is required to do once the Tariff Commission has made its decision containing an affirmative finding of injury to an industry due to imports under section 201(b).

In my judgment the difficulty with the whole statutory scheme as it relates to import relief is that section 203 is discretionary not mandatory. Section 203(a) lists in order of preference the methods of providing import relief which the President may use, and I emphasize the word "may" use, when the Tariff Commission has decided that injury would result due to imports. Now I recognize that section 203(c) requires the President to report to Congress and explain why he chose one method or combination of methods to provide import relief, such matters as why he chose, for example, quantitative restrictions or tariff-rate quotas rather than increased duties. And presumably if he takes no action at all the President must account to Congress and explain his reasons.

I am frankly skeptical that this hierarchy of priorities as to kind of relief the

President may order is really meaningful when the President can choose among the possible remedies at will or, more importantly, can elect not to order any remedy at all. I am equally skeptical that the reporting to Congress procedure is an adequate means to assure the President will take effective action or even any action after receiving a Tariff Commission decision that injury due to imports has or will result.

There are two defects in this discretionary system both of which contribute to producing undue delay in effectuating relief. First, if the President elects not to take action or to take ineffective action there may well be undue delay while his report is prepared and Congress is studying and evaluating that report. Serious or irreparable harm to domestic producers may result during this interval. Second, if the Congress disagrees with the President's chosen course of action in a given situation it can only remonstrate and ask him to reconsider. If the President remains adamant, then still further and more extended delay would result while Congress undertakes legislative action to compel the President to take more effective action. We all know that such delay would probably be substantial and it is not sound legislative practice to be faced periodically with ad hoc situations demanding special legislative action which would be in the nature of private bills. The whole purpose of this bill, H.R. 10710, is to create an effective new mechanism for legislative-administrative-executive cooperation in international trade questions. It is not enough to provide for close and continuing congressional oversight of Presidential handling of import relief. To be effective this statute must command the President to impose import relief when the Tariff Commission makes affirmative findings of injury from imports pursuant to section 201(b).

Moreover, that mandate to act must also include the duty to implement remedies according to a congressional determination of priorities unless the President is able to assume the burden of proving that some other order of priorities is warranted by unique circumstances. Such a showing by the President could be made to Congress by an expedited procedure requiring the President to show cause within no more than 30 days why he believes a different order of priority of remedies is required in a specific situation.

Under this system the President would, first of all, have a statutory duty to implement import relief when the Tariff Commission so determines, and, secondly, the President would have a statutory obligation to implement such import relief on the basis of priorities established by Congress unless the President, by an expedited procedure, justifies to Congress a different set of priorities. I earnestly urge the Committee on Ways and Means and all Members of Congress to adopt this suggestion. It is the only means I know of by which we can be assured that appropriate import relief will be forthcoming on a suitably prompt basis, and it would not deprive the President of adequate discretion and

flexibility to cope with varying trade situations.

#### TRIBUTE TO THE U.S. COAST GUARD

#### HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. DON H. CLAUSEN. Mr. Speaker, last month I was privileged to attend a banquet in my congressional district honoring the men and women of the U.S. Coast Guard. The thought occurred to me that my colleagues may enjoy reading the remarks of the Honorable Alexander McMahon, a former coastguardsman and presently municipal court judge in Petaluma, Calif., on this occasion:

#### A TRIBUTE TO THE U.S. COAST GUARD

(By Judge Alexander McMahon)

Mr. President of the Mess, Ladies and Gentlemen of the Coast Guard:

I am doubly honored this evening—honored to be here and honored to be able to call you, as I shall now, the Constitutional Service; for you, as the U.S. Coast Guard, are as vital, living and expansive as our United States Constitution.

Little did our Founding Fathers conceive or contemplate, two hundred years ago, that the Simple, yet so beautiful document, so painstakingly drafted for the conduct of government in the 13 original states, would, in the year 1973, be the lodestar of government for some 50 states, the furthest of which is some 6000 miles from the seat of government in Washington.

And yet the Constitution of ours, expanded to include some Amendments, laboriously drafted and enacted, has, inherent within it the fluidity, the eternal spring of life that has enabled it to embrace—and successfully so—the needs of our life, of the nation and its government for almost two centuries.

And, the good God willing that we have people like you and our Congressman in the years to come, that Constitution will sustain the life of our Country in the centuries to come.

I called you the Constitutional Service because in your vitality, your inherent ability to meet the needs of the day, you, the Coast Guard, are like unto the Constitution.

Little did the first Congress conceive, in carrying out the mandate of the Constitution and establishing the revenue marine and providing for a small fleet of minute cutters, that those few men appointed to sail in the Harriet Lane and the others, would be the forerunner of a prestigious organization with the capacity to adapt to, and meet the needs, the ever changing needs of our marine oriented life.

And as the Constitution has that vital, mystic, living capacity to face, meet and master the ever arising challenges of government in a changing age, so that early Revenue Marine Service had, in some mysterious capacity—and I chose to believe it was its men—the ability now long proven, to meet the constantly shifting sands of time, and to afford exemplary service as the demand for service grew.

It is said that there is nothing new under the Sun, and so it is. There is hue and cry today to streamline, to merge bureaus and departments of Government in the interest of economy, efficiency and better service. The Coast Guard has long been, and little recog-

nized as such, a pattern for merger and exemplary service as a result.

From the small fleet of ten, single masted vessels that constituted the first Revenue Marine, we have seen the evolution of the modern day Coast Guard.

In you and your makeup are the broad shoulders and strong arms of the surfman, whose Life Saving Service was merged with the Revenue Marine to form the Coast Guard in 1915.

In you and in your makeup are brave men of the Revenue Cutter Service who challenged the Arctic ice in wooden vessels.

In you and in your makeup are the sometimes unlettered, sometimes rough giants of the U.S. Lighthouse Service, merged into the Coast Guard in 1939.

In you and in your being are the stalwarts of the old Department of Commerce Merchant Marine Inspection Service, men whose respect for the sea led them into pioneering the reality that a safe, well equipped and properly manned vessel is paramount to the concept of Maritime Safety.

In its vigor, the United States Coast Guard is ever ready to aid in the defense of our beloved country with but scant departure from its peace time mission of preserving life and property from the onslaughts of a savage sea. It is again that vigor, in peace and in War, that is so akin to the Constitution.

But its virility, its strength, its capacity to meet and absorb the ever changing needs comes not from its history, or its name, but rather from the men who, above all, constitute and have constituted the United States Coast Guard.

It comes from the men of "Harriet Lane" and of Alert, from the men of Surveyor and Narcissus, of Hudson and Dispatch. From the brave men who faced the Arctic in Corwin and Bear in days long gone to their present day counterparts in the Bering Sea, and on Ice Patrol, and on lonely Ocean Weather Station.

It is the heritage of the surfman on Hatteras, or Flaherty, or Samoa on Humboldt Bay, and of the men who manned the lonely light stations at St. Elias, Fairweather, Point St. George and the myriad others now automatic and unmanned.

It comes from the virility, strength and dirty job willingness of the iron men of the old steam tenders Cedar and Hemlock and their successors today on Citrus and Woodbine and the indelicate Rose.

It is the strength and virility of the men on Atka and East Wind during the Polar Ice as did the men of Bear and Corwin.

That strength and virility comes from men who have been able to shift to meet the new challenges of yesterday and today; from the men of today who are meeting the challenges of restoring and regaining the purity of our bays, rivers, and oceans; who are willing to dirty their hands in the grime of bunker oil spilled upon the waters, for the benefit of mankind and his environment.

That strength comes from men of commitment and dedication; from men whose lot is seldom to take to sea in calm waters but rather in the savagery of storm, because they and their expertise, and the creed of their service, and their willingness to give of their life for their fellow men, impels them so to do.

It comes from the men of this command, whose mission is to train so that those who wear the shield can be, and will be equipped to meet the challenges of the day.

It comes from men such as your Station Commander, Captain Kirkley. From men such as he with the versatility to master the Law as well as his regular Coast Guard duties. He has been called upon often to exercise that versatility, and in each call, he has proved himself. From the halls of NATO, to



the Cutters Bridge, from Headquarters to the Green Hills of Petaluma, he has met and mastered every challenge.

I cannot toast you, Captain Kirkley, and the members of your command, for in accordance with protocol, such is not my privilege.

But, I can, sir, salute you, on behalf of a Nation, and on behalf of your Congressman, and for myself, for what you are, a Command Officer of the United States Coast Guard.

And, in saluting you, Sir, and your command, I salute that wonderful, vital organization, that distinctive and distinguished service so akin in its vitality to our Constitution, the United States Coast Guard.

I salute you, sir, and each of your officers, men of commitment all, and your loyal ladies who serve with you; you are the Coast Guard and I salute you all.

## ENDANGERING THE SPECIAL PROSECUTOR

### HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 11, 1973

Mr. RAILSBACK. Mr. Speaker, once again, my colleague from Maine, WILLIAM COHEN, has put his finger right at the heart of the issue in his article on the Special Prosecutor legislation, entitled "Endangering the Special Prosecutor," which appeared in the Washington Post on December 11, 1973.

I commend the attention of my colleagues to that excellently written article which follows in the RECORD immediately after my remarks:

#### ENDANGERING THE SPECIAL PROSECUTOR

(By WILLIAM S. COHEN)

Justice Holmes once wrote that a "catchword can hold analysis in fetters for 50 years." It is a noteworthy observation, for as Congress prepares to debate and deliberate on the subject of a special prosecutor, it is in danger of being mesmerized by the popular call for an "independent" prosecutor. The need for a special prosecutor whose inde-

pendence cannot be summarily intruded upon by the body that is the subject of investigation can no longer be a matter of legitimate debate. The question is, how can the objective of establishing the office of special prosecutor be achieved most expeditiously and in a manner that will survive constitutional attack?

The House Judiciary Committee has reported favorably on a bill that would require a panel of U.S. District Court judges to appoint the special prosecutor. Though the bill has several commendable features designed to strengthen it against challenges that are certain to follow, most proponents of the bill, including Archibald Cox, have conceded that it is not free from Constitutional doubt.

It is argued, however, with a familiar ring of pain reliever commercials, that three out of four experts agree that the bill is Constitutional. When further delay in taking action on Watergate-related criminal activities can only contribute to the disintegration of public confidence in our institutions, one must ask what public interest is being served in adopting a bill that has a quarter-moon chance of being invalidated?

In addition, the U.S. District Court in Washington, in a unique, unsolicited "advisory" opinion, stated that the proposal would be unwise, unwelcomed and (impliedly) unconstitutional. Proponents of the bill dismiss the admonition as not rising to the dignity of judicial dicta. It is interesting to speculate what reception the Court's opinion would have received had it endorsed the Judiciary Committee's proposal.

But all of this misses the mark. The question really is not one of independence. Mr. Cox was independent and Leon Jaworski, to the great despair of some, is demonstrating daily that he too is independent. Congress can draw statutory prohibitions against arbitrary orders emanating from the White House concerning the prosecutor's tenure. The problem has been and is the lack of access to presidential documents, memoranda and recordings. Congress, through a confirmation process by the Senate, could insist upon a commitment that is tantamount to a waiver of that vague and seemingly all-purpose doctrine of executive privilege as a condition precedent to its approval of a special prosecutor nominated by the President. Mr. Nixon has said in private that the "special prosecutor should have everything and when he asks for it, he shall get it." Vice President Ford has testified that in his opin-

ion executive privilege should not be invoked in any claims involving alleged criminal conduct. This proposal would simply commit broad promises into the semi-permanence of statutory ink.

Congress, however, dazzled by the glitter of obtaining a special prosecutor who could never be fired by the President for any reason—legitimate or not—appears unwilling to adopt any alternative course of action. Moreover, many proponents of the court-appointed prosecutor privately suggest that whether or not the committee bill proves to be constitutional is of little consequence, since the question soon will be moot.

These members envision the following sequence of events: The bill for a court-appointed special prosecutor will pass the House and Senate. The President will veto the bill and the veto will be sustained. Mr. Jaworski, in the meantime, will continue his efforts in securing indictments against all wrongdoers. If he succeeds, he will be praised by all; should he fail, the proponents of the bill can maintain that they stood tall in the pursuit of justice while the President and his votaries (anyone who opposed their bill) achieved their goal of frustrating and defeating the search for truth.

But assume a different scenario. Assume that certain White House advisers, unhappy with Mr. Jaworski's independence, were to suggest to the President that while they believed the bill to be unconstitutional, the President should not veto it and allow the courts to make the determination. The immediate result would be weeks and perhaps months of delay, confusion and confrontation. Mr. Jaworski would not be able to continue his efforts because congressional action would have superseded his appointment. The President would be under no obligation to "fully cooperate" with a court-appointed prosecutor whose office would almost certainly be challenged, if not by the White House, then surely by prospective defendants. Thus the quest for truth would be delayed and perhaps even derailed.

While it is not the most desirable arrangement, what is best for the country "at this point in time" is to allow Mr. Jaworski to continue in office, with his integrity and demonstrated independence buttressed by strong statutory protection. The greatest safeguard against his dismissal by the President is public opinion. President Nixon crossed that Rubicon on October 20, 1973. He is not in a position to cross it a second time.

## SENATE—Wednesday, December 12, 1973

The Senate met at 9:45 a.m. and was called to order by Hon. HAROLD E. HUGHES, a Senator from the State of Iowa.

#### PRAYER

The Reverend Dr. C. Leslie Glenn, canon and subdean, the Washington Cathedral, Mount St. Alban, Washington, D.C., offered the following prayer:

Almighty God, who hast created man in Thine own image: grant us grace fearlessly to contend against evil, and to make no peace with oppression; and that we may reverently use our American freedom, help us to employ it in the maintenance of justice among men and nations, to the glory of Thy holy name.

Guide, we beseech Thee, the nations of the world into the way of justice and truth, and establish among them that peace which is the fruit of righteousness, that they may become the Kingdom of our Lord and Saviour Jesus Christ. Amen.

#### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The second assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D.C., December 12, 1973.  
To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. HAROLD E. HUGHES, a Senator from the State of Iowa, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,  
President pro tempore.

Mr. HUGHES thereupon took the Chair as Acting President pro tempore.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its

reading clerks, announced that the House had passed the following bills in which it requests the concurrence of the Senate:

H.R. 10710. An act to promote the development of an open, nondiscriminatory, and fair world economic system, to stimulate the economic growth of the United States, and for other purposes;

H.R. 11088. An act to provide emergency security assistance authorizations for Israel and Cambodia; and

H.R. 11771. An act making appropriations for foreign assistance and related programs for the fiscal year ending June 30, 1974, and for other purposes.

#### HOUSE BILLS REFERRED

The following House bills were severally read twice by their titles and referred as indicated:

H.R. 10710. An act to promote the development of an open, nondiscriminatory, and fair world economic system, to stimulate the economic growth of the United States, and for